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Agendas / Minutes Of The Finance And Administration Committee

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ATION OF THE CITY OF HAMILTON
FICE OF THE CITY CLERK
71 MAIN STREET WEST
HAMILTON, ONTARIO L8N 3T4

TEL: 546-2700
FAX: 546-2095

1992 December 18th

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1993 January 7th
9:30 o'clock a.m.
Room 233, City Hall

Susan K. Reeder

Susan K. Reeder
Secretary

AGENDA

1. **DELEGATION**

   Tenderers - Office Supply Contract:

   (a) Brown & Collett Limited. (included in Agenda package)

   (b) Cloke/Basics Office Products. (included in Agenda package)

   (c) Grand & Toy Limited.

   (d) Today's Business Products Ltd. (included in Agenda package)

2. **CONSENT AGENDA**

3. **CITY CLERK**

   Selection Procedures for Committees/Boards/Committees.

4. **RESOLUTIONS**

   (a) Town of Newmarket - Provincial Municipal Relations.

   (b) Township of Kingston - Disentanglement.

5. **DIRECTOR OF PROPERTY**

   (a) Emergency Voice Evacuation System.

   (b) Offer to Purchase rear land at 759 Stone Church Road East, Highridge Developments (Hamilton) Limited, Part 10, Registered Plan 62R-12308.

6. **MUNICIPAL NON-PROFIT (HAMILTON) HOUSING CORPORATION**

   Composition of the Board of Directors.

7. **1993 USER FEES**

   (a) Treasurer.

   (b) City Clerk.

   (c) Fire.

   (d) Property.

8. **PRIVATE AND CONFIDENTIAL AGENDA**

9. **OTHER BUSINESS**

10. **ADJOURNMENT**


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OUTSTANDING ITEMS

FINANCE & ADMINISTRATION COMMITTEE

Item			Action By
1.	(a)	Policy to exempt Parking Authority from realty and business tax.	Treasurer
	(b)	Examine feasibility of directing the net revenue from parking fines into the Reserve Account.	Treasurer
2.		Report back on possible amendments to existing legislation to improve power to confiscate vicious animals.	H.S.P.C.A.
3.		Report on City's Energy Lightbulb Programme.	Purchasing
4.		Rationale of Development Charges on 84 Birmingham Street.	Building
5.		Proposed policy on display of plaques, posters, memorabilia, etc.	Property
		Note: The requests from the following are on hold pending Committee deliberation of the Director's report:	
	(a)	Status of Women	
	(b)	Ridge Raiders Drum & Bugle Corp.	
	(c)	Ad & Sales Club	
	(d)	Hamilton Mundialization Committee	
	(e)	Polish Singers Alliance of America.	
6.		Additional Proposed Development Charges Amendments.	Building
7.		Commonwealth Plaza Lighting.	Property
8.		Results of investigation on alternative uses of the Theatre Terra Nova building in the event that Theatre Terra Nova is unable to assume regular monthly mortgage payments as of 1993 January 1st.	C.A.O.

Item		Action By
9.	Report on payment to the Hamilton Harbour Commission for the City's portion of the Windermere Basin Cleanup.	C.A.O.
10.	Report on procedures to be used in regulating the sale of merchandise by charitable and non-profit groups.	City Clerk
11.	Report on overview of all types of licences issued and fees for Committees consideration of rationale.	City Clerk
12.	For the 1993 February meeting, a discussion paper will be presented by the Licence Division on a revised Taxicab By-law.	City Clerk

GRAND & TOY LIMITED

HEAD OFFICE - DON MILLS (TORO

OFFICE SUPPLIES · PRIN

1. (c.)

2727 BARTON STREET EAST
HAMILTON, ONTARIO L8E 2J8
416-561-3413 (HAMILTON)
416-688-4326 (ST. CATHARINES)
FAX 416-561-3710

"Our 110th Year"

December 17, 1992

Hamilton City Council
71 Main Street West
Hamilton, Ontario
L8N 3T4

Attention: Susan Reeder

Dear Susan:

I would like to take this opportunity to thank you for allowing Grand & Toy to address the Finance Committee. The following points will be brought up as part of our presentation to the Finance Committee.

1) Locations of walk-in counter sales - Currently, Grand & Toy has five walk-in retail stores in the Hamilton region. Plus, Grand & Toy incorporates a main office in East Hamilton along with a distribution centre.

2) Outside sales representation - Should Grand & Toy be the successful bidder, City Hall and all of its regional members will be serviced by a team of six outside sales representatives, and two inside customer service representatives.

3) Delivery - Grand & Toy's mandate is next day delivery on all stock merchandise. This is facilitated through four office supply delivery vans, and Grand & Toy employed drivers in the Hamilton Wentworth area.

4) Grand & Toy's current customer list of regional members:

Town of Ancaster	Hamilton Street and Railway
Town of Dundas	McMaster University
Town of Flamborough	Hamilton Housing Authority
Catholic Children's Aid Society	Royal Botanical Gardens
Wentworth Cty Board of Education	Hamilton Board of Education
Hamilton Region Conservation Authority	
Hamilton Wentworth Roman Catholic Separate School Board	

GRAND & TOY
OFFICE PRODUCTS · FURNITURE · PRINTING

5) Commitment to the region - Grand & Toy in the Hamilton region currently has a payroll of over 2 million dollars. Realty taxes are in excess of $150,000.

Grand & Toy feels that there have been some erroneous assumptions made with regard to catalogue pricing. It is estimated that approximately $40,000 will be spent on catalogue items. It is assumed that everyone's list price is the same, with the only difference being the discount itself. We at Grand & Toy feel that this is not accurate.

Overall, we at Grand & Toy feel that we are best qualified to service the region's office supply requirements. We have a distribution and a retail store network that is unmatched by any of our competitors. Grand & Toy is the number one office supply company in the region and have created this status by our dedication to the area and our ability to service our customers.

Yours truly,

GRAND & TOY LIMITED

Gary Hill

GH:hd

Gary Hill
Sales Manager

FINANCE AND ADMINISTRATION COMMITTEE

THURSDAY, 1993 JANUARY 7TH

CONSENT AGENDA

A. ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the regular meeting held Thursday, 1992 December 3rd, the special meeting held Tuesday, 1992 December 8th, and the Special Joint Meeting of the City's Finance and Administration Committee and the Regional Administrative Services Committee held Tuesday, 1992 December 15th.

B. CITY CLERK

(i) SHAIR International - Use of Display Area.

(ii) Westdale Secondary School Art Display.

(iii) Santa Sock '92 Campaign.

C. TREASURER

(i) Funding - Proposed construction of sidewalks, curbs and roadway on Forbes Street.

(ii) By-law for the Authorization to borrow monies to cover Temporary Bank Overdrafts in relation to Current Expenditures. (copy to follow)

(iii) Status of Unclassified Revenue and Expenditures as at 1992 November 30.

(iv) Status of Hosting, Receptions and Related Accounts.

D. HOUSING DEPARTMENT

Closure of Hamilton Housing Company Capital Projects.

E. COMMISSIONER OF HUMAN RESOURCES

(i) Appointments to and Terminations from permanent positions with the Corporation of the City of Hamilton to 1992 December 16.

(ii) Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local Union 67.

(iii) Ontario Sheet Metal and Air Handling Group and Sheet Metal Workers, Local Union 537.

(iv) United Brotherhood of Carpenters and Joiners of America, Local 18.

(v) Manager, Internal Controls - Taxation Data Base Project.

Thursday, 1992 December 3rd
9:30 o'clock a.m.
Room 233, City Hall

The Finance and Administration Committee met.



There were present: Alderman D. Ross, Chairperson
Alderman B. Charters, Vice-Chairperson
Mayor Robert M. Morrow
Alderman D. Drury
Alderman T. Anderson
Alderman D. Agostino
Alderman T. Cooke

Regrets: Alderman V. Agro - City Business
Alderman G. Copps - Illness

Also present: Alderman F. Eisenberger
Alderman M. Kiss
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
K. Beattie, Treasury Department
P. Noé Johnson, City Solicitor
J. Johnston, Commissioner of Human Resources
J. Schatz, City Clerk
Fire Chief Baker
P. Baker, General Manager, Parking Authority
G. Macaluso, Managing Director/Chief Executive Officer, H.E.C.F.I.
D. Vyce, Director of Property
B. Sugden, Director of Culture and Recreation
D. Kilpatrick, Acting Chief Executive Officer, Hamilton Public Library
Susan K. Reeder, Secretary

A G E N D A

1. PRESENTATION - Parking Authority

Mr. P. Baker was in attendance and spoke to the Committee with respect to the Structure and Styles of Car Parks and the Functions of the Hamilton Parking Authority.

Questions ensued with respect to the long-term plan for the Hamilton Parking Authority and it was confirmed by Mr. Baker that a long-term plan does exist and that copies of a Consultant's Report will be forwarded to Councillors in the near future.

The Chief Administrative Officer then commended the excellence of Mr. Baker's credentials and his many advancements made in the Parking Authority area to date.

The Committee then agreed to **receive** the presentation given by the General Manager of the Parking Authority.

ALDERMAN AGOSTINO

2. Delegation - St. Gregory the Great Banquet Hall - Handicapped Ramp.

The Committee was in receipt of a memorandum from Alderman Agostino dated 1992 November 20, respecting a request for funding for a handicapped ramp at St. Gregory the Great Banquet Hall. The Committee was also in receipt of added information which was forwarded under separate cover prior to the Committee meeting from the Grants Co-Ordinator dated 1992 November 20, respecting the status of the Capital Grants Account. Also contained within that additional information package was a quote on the proposed handicapped exit at St. Gregory the Great Hall from Mr. J. M. Venditti of Venditti Engineering Limited.

Mr. Venditti was in attendance to represent St. Gregory the Great Banquet Hall and spoke to the Committee with respect to the request. He indicated that as a result of fire requirements for fire exit doors that it is planned to have a handicapped ramp installed.

Kevin Beattie responded to questions and spoke on the status of the Capital Grants Account and its uses.

Moved by Alderman Agostino, seconded by Alderman Drury that approval be given to a $20,000. grant to be used to assist in the construction of a handicapped ramp at the St. Gregory the Great Banquet Hall, and that funding for this expenditure be charged to the Capital Grants Account. **MOTION LOST**

ALDERMAN AGRO

3. North End East and West Community Improvement Project Area.

As Alderman Agro was away on City Business, this matter was not heard.

17. TREASURER

(h) Delegation - the 1997 World Curling Championships.

The Committee heard from a Delegation from the Curling Associations respecting the City's participation and the bidding for the 1997 World Curling Championships.

Mr. Paul Walker, Director of the Hamilton World Curling Championship, spoke to the Committee with respect to the Hamilton Group's proposal to bid on the 1997 World Curling Championships.

Ms. Pat Reid, Director, Canadian Curling Association, spoke to the Committee with respect to the bid. It was indicated that the St. Claire Group has committed to a 5 year contract from 1995 - 1999 for sponsorship and that this agreement is presently in the process of being finalized. It was also indicated that in 1998 that the Olympic Games will contain the sport of Curling for the first year and therefore the 1997 World Curling Championships will receive special media attention. It was also indicated that the number of Curlers in the Golden Horseshoe Area is greater than all of the number of Curlers in the rest of the World together. As a result there is a great amount of resources in the Area for hosting these World Championships.

The Delegation also presented copies of an Economic Impact Model for Special Events and Games compiled by the Department of Leisure Studies at the University of Ottawa. As well a chart was distributed for the breakdown of the financial support required for the bid and the subsequent costs if successful.

The Committee was in receipt of a report from the Treasurer dated 1992 November 26, respecting the method of financing the City's contribution for the 1997 World Curling Championships.

The Committee was also in receipt of a memorandum from the Secretary of the Parks and Recreation Committee dated 1992 December 2, sent under separate cover prior to the meeting indicating that the Parks and Recreation Committee at its meeting held 1992 December 1, approved the supporting of the Hamilton World Curling Championship Bid Committee in their efforts to host the 1997 World Curling Championships in Hamilton at Copps Coliseum. The recommendation also requested that the Finance and Administration Committee consider the method of financing.

Considerable discussion ensued on this matter with the Committee and several issues of concern were expressed, namely, that a more complete package on the funding issue was not available for the Committee, i.e. the amount of spin-offs that participation in the hosting of this event would generate.

It was agreed that the staff be directed to provide an information report prior to the City Council meeting, with respect to the anticipated spin-offs for the World Curling Championships.

It was also proposed that one City staff person and one member of City Council should sit on the Hamilton World Curling Championship Bid Committee. Alderman Drury indicated that he would be interested in being the City Council representative.

The Committee also discussed at some length the possibility of having the Region also fund this particular event and it was agreed that the Region should be approached for participation in the funding of this event, but that the request for funding should come from the City and not the Curling Association in order to allow them to be freed-up to work on their bid proposal and not be committed to attending further Committee meetings seeking funding.

Following discussion the Committee then approved the following recommendation:

(a) That as referred to in Section 8 of the Twenty-Second Report for 1992 of the Parks and Recreation Committee Report, the $20,000. grant to the Hamilton World Curling Championships Bid Committee to prepare and present a bid to the World Curling Federation be funded from the current "Contingency" account, Centre 24120; and,

(b) That the requirements for an interest free loan to the Hamilton World Curling Championships Bid Committee in the event of their successful bid, in the amount of $500,000., be funded from the "Reserve for Contingency", Centre 00115; and,

(c) That the City Solicitor prepare an agreement between the applicant and the City of Hamilton for the loan which would include the timing of the payments by instalments and the eventual repayment of the loan to the City; and,

(d) That the Regional Municipality of Hamilton-Wentworth be approached regarding possible Regional participation in the funding of the 1997 World Curling Championship Bid and Event and should such participation be forthcoming, that the City financing referenced above be reduced accordingly; and,

(e) That one City staff person and one member of City Council serve on the Hamilton World Curling Championship Bid Committee.

4. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda and approved the following items contained therein:

A. ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE - Minutes of the meeting held Thursday, 1992 November 19th.

The Committee was in receipt of the minutes of its last meeting held Thursday, 1992 November 19, and approved these minutes as circulated.

B. CITY CLERK

(i) Use of the name "Hamilton"

The Committee was in receipt of a report from the City Clerk dated 1992 November 26, respecting a request for the use of the name "Hamilton" and the proposed incorporation of the "Hamilton Program for Schizophrenia".

The Committee approved the following:

That City Council consent to the use of the name "Hamilton" in the proposed incorporation of the "Hamilton Program for Schizophrenia".

(ii) Civic Awards - Hamilton-Wentworth Aquatic Club.

The Committee was in receipt of a report from the City Clerk dated 1992 November 19, respecting the above-noted matter and approved the following:

That Section 22 of the Eighteenth Report of the Finance and Administration Committee for 1992 respecting the presentation of Civic gold pins to members of the Hamilton-Wentworth Aquatic Club be amended by deleting the name "Shannon Clark" and inserting in lieu thereof, the names "Tina Scott" and "Erin Dermody" as members eligible for this award.

(iii) Use of Balcony for Chanukah Celebrations.

The Committee was in receipt of a report from the City Clerk dated 1992 November 26, respecting the above-noted matter and approved the following:

(a) That approval be given to the request of the Jewish Community Centre of Hamilton-Wentworth to place their Chanukah Menorah on the balcony outside the Council Chambers from Friday, 1992 December 18 to Tuesday, 1992 December 29.

(b) That a representative of the Jewish Community Centre be granted access to the balcony at approximately 7:00 p.m. each evening during this period to light the Menorah.

(c) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

C. FARMERS' MARKET SUB-COMMITTEE - Market Fees for 1993.

The Committee was in receipt of a report from the Secretary of the Farmers' Market Sub-Committee dated 1992 November 30, respecting the Market Fees for 1993 and approved the following:

That the Hamilton Farmers' Market Fee Schedules, reflecting a two (2%) percent increase for 1993, be adopted to replace the Fee Schedule previously approved by the Finance and Administration Committee and City Council which, by oversight, did not include the Fees relating to Stands 70a, 72a, 92, 176 as well as page 2 of the said Fee Schedule.

D. CITY SOLICITOR - Consolidation of By-law No. 81-180 (and amendments thereto) re: Hamilton Farmers' Market.

The Committee was in receipt of a report from the City Solicitor dated 1992 November 25, respecting the above-noted matter and approved the following:

(a) That By-law No. 81-180 and the amendments thereto, namely, 81-218, 81-267, 81-285, 81-338, 82-34, 82-59, 83-024, 84-277, 84-278, 86-37, 86-60, 86-339, 86-340, 87-60, 87-112, 87-324, 87-352, 88-196, 88-269, 89-372, 90-155, 90-356, 92-037, be repealed and a consolidated Farmers' Market By-law be passed; and,

(b) That the said consolidated Farmers' Market By-law include the 1993 Hamilton Farmers' Market Fee Schedule.

E. LICENSING COMMITTEE - Taxicab Priority List Annual Renewal.

The Committee was in receipt of a report from the Secretary of the City of Hamilton's Licensing Committee dated 1992 November 16, respecting the above-noted matter and approved the following:

That the list of 274 names, of individuals who have renewed their names on the Taxicab Priority List, in accordance with By-law 89-249, be received for information.

F. CITY SOLICITOR AND FIRE CHIEF - Repealing of By-law 92-095.

The Committee was in receipt of a joint report from the City Solicitor and the Fire Chief dated 1992 November 25, respecting the above-noted matter and approved a Bill to repeal the City's By-law for the installation of smoke alarms and emergency lighting in residential buildings in recognition of the superseding of the Provincial Fire Marshals Act which covers this area of requirements for residential buildings.

G. COMMISSIONER OF HUMAN RESOURCES - The Hamilton Construction Association and the Labourers' International Union of North America, Local 837.

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1992 November 26, respecting the above-noted matter and approved the following:

> That the contract settlement of the Hamilton Construction Association and the Labourers' International Union of North America, Local 837, Hamilton be received pursuant to the Fair Wage Policy of the City of Hamilton.

H. DIRECTOR OF PROPERTY - Closure of Property Department Capital Projects.

The Committee was in receipt of a report from the Director of Property dated 1992 November 25, respecting the above-noted matter and approved the following:

> That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
a) 708551004	Inch Park Arena - Replace Ice Making System	$900,000.00	$ 713,334.03	$186,665.97	RCP* Debenture PS**
b) 708641001	Scott Park Arena - Replace Surface and Piping	600,000.00	393,074.73	206,925.27	Debenture PS**
c) 708741003	Scott Park Arena - Renovations	219,000.00	176,777.00	42,223.00	RCP* Debenture
d) 319241001	Jimmy Thompson District Centre - Replace Pool Filtration	250,000.00	181,241.91	68,758.09	Debenture
TOTAL				$504,572.33	

*RCP - Reserve for Capital Projects
**PS - Provincial Subsidy

5. **HAMILTON PUBLIC LIBRARY BOARD - Resolution for City Council re: Funding for Library Services from the Regional Municipality of Hamilton-Wentworth.**

The Committee was in receipt of a report from the Chairman of the Hamilton Public Library Board dated 1992 November 30, respecting a resolution for City Council re: Funding for Library Services from the Regional Municipality of Hamilton-Wentworth.

The Committee approved the following:

WHEREAS the Hamilton Public Library Board in addition to delivering library services to citizens of Hamilton also provides services from its specialized collections to citizens of Ancaster, Dundas, Flamborough, Glanbrook and Stoney Creek;

AND WHEREAS the Region-wide (i.e., encompassing Hamilton, Ancaster, Dundas, Flamborough, Glanbrook and Stoney Creek) services provided from the Library's specialized collections are now solely paid by taxpayers of the City of Hamilton;

AND WHEREAS in order to enable the Hamilton Public Library Board to continue to offer the said Region-wide services to all residents of the Regional Municipality of Hamilton-Wentworth it is appropriate to recover such costs from taxpayers of the Region.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Hamilton as follows:

(a) That the Council of the Regional Municipality of Hamilton-Wentworth be requested to affirm its support for the Region-wide services provided by the Hamilton Public Library Board from its specialized collections; and,

(b) That Regional Council be requested to reimburse the Hamilton Public Library Board for the direct cost portion (without overhead costs) of the Library's Region-wide services as the provision of these services is in the interests of the Regional Municipality; and,

(c) That Regional Council be requested to implement its support of the Library's Region-wide services by including funds in its 1993 budget to provide the said reimbursement to the Hamilton Public Library Board. The direct cost of providing these Region-wide services (excluding overhead costs) from its specialized collections in 1991 was $1,280,504. Under this proposal, during 1991 the Region would have collected $896,352. from Hamilton taxpayers and $384,151. from taxpayers in Ancaster, Dundas, Flamborough, Glanbrook and Stoney Creek; and,

(d) That if the Library's Region-wide services are not supported by Regional Council, the Hamilton Public Library Board is requested to report to Hamilton Council on alternative solutions regarding costs of its Region-wide services including reviewing the availability of such programmes to the public at no cost or at cost; and,

(e) That the City Clerk be directed to forward this resolution to the Council of the Regional Municipality of Hamilton-Wentworth for consideration and response.

6. CORRESPONDENCE - Request from the Aeroheritage Air Show for Funding of the 1993 Civic Reception.

The Committee was in receipt of correspondence addressed to the Secretary of the Committee dated 1992 October 26, respecting a request from Aeroheritage Air Show for a Civic Reception during the Air Show on 1993 June 19. The Committee approved the following:

(a) That the City of Hamilton sponsor the 1993 Civic Reception for the Hamilton Air Show to be held on Saturday, 1993 June 19th at a cost of $8,500.; and,

(b) That this amount be funded from the 1993 Account of the Special Civic Receptions and Delegation Hosting No. CH55314-84010.

7. CITY SOLICITOR - S.S. Wilson & Associates Invoice No. CT92-027 Lapp Hearing.

The Committee was in receipt of a recommendation from the City Solicitor dated 1992 November 24, respecting the above-noted matter and approved the following:

(a) That payment of the account of S. S. Wilson & Associates for consulting services in respect to the Ontario Municipal Board hearing on the Lapp Property in the total amount of $31,469.29 be approved; and,

(b) That this amount be charged to Account No. CH55265-44001.

8. CITY SOLICITOR AND CITY CLERK - Amendment of Transient Vendor Definition - Exclusion of Charitable/Non-Profit Groups.

A joint report from the City Solicitor and the City Clerk dated 1992 December 1 was forwarded to members of the Committee under separate cover prior to the meeting, respecting the above-noted matter.

The City Clerk spoke to the Committee and indicated that all Non-Charitable organizations who come under this new guideline will be notified this year of the new regulations but won't be penalized if they have not purchased a Transient Traders licence. It was agreed that the Clerk would report back to the Committee with respect to the Notice Procedures that will be followed to advise Charitable and Non-profit Groups that they no longer are regulated as Transient Vendors by the City's Licensing Code. Further to this, the Clerk will also report back to the Committee with respect to the procedure of keeping records on the Groups who fall under this exemption category.

Further to that discussion, it was also requested by the Committee that an Information Report be brought back to them on all types of licenses issued by the Licensing Division and the fees applied to each, in order that the Committee can review these with a view on analyzing the rational of doing so.

9. DIRECTOR OF PROPERTY - Sale of Surplus City Land to Region - Dartnell Road.

The Committee was in receipt of a report from the Director of Property dated 1992 November 25, respecting the above-noted matter and approved the following:

(a) That the City quit claim to the Region a vacant parcel of land situated in the Regional Municipality of Hamilton-Wentworth, west of Dartnell Road, being composed of part of Lot 3, Concession 8, in the former Township of Barton, more specifically known as Part 3 on Plan 62R-12318 and containing an area of 10.7 square metres (115.2 square feet) more or less, be approved and completed and the funds derived from this transfer of $1. be credited to Account No. CH4X999 00102 (Reserve for Property Purchases - Other Revenue); and,

(b) That the City Solicitor be authorized to prepare the necessary documents; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

10. PROPERTY DEPARTMENT AND HAMILTON PARKING AUTHORITY - Option to Purchase - Naim Investments Ltd. - 13 Walnut Street North - Parking Purposes.

The Committee was in receipt of a joint report from the Director of Property and the General Manager of the Hamilton Parking Authority dated 1992 November 25, respecting the above-noted matter.

A question was asked with respect to the account being used for funding this purchase.

The Committee then approved the following:

(a) That an Option to Purchase, executed by Naim Investments Ltd. (Chaim Marcovitz, Assistant-Secretary) on 1992 November 17, and scheduled for closing on or before 1993 February 15, for the purchase of 13 Walnut Street North, more particularly described as Lot 19, Registrar's Compiled Plan 1393, said lands comprise 801.26 square metres (8,625 square feet) more or less, with frontage along the west side of Walnut Street North of 22.921 metres (75.201 feet) more or less, be approved and completed and the purchase price of $225,630. be charged to Account No. 5698-909145001 (Land Acquisition - General); and,

(b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

11. TAXI ADVISORY COMMITTEE

(a) Taxi and Livery Vehicles.

The Committee was in receipt of a report from the Secretary of the Taxi Advisory Committee dated 1992 November 25, respecting the above-noted matter. The Committee approved the following:

(a) (i) That the Livery Vehicles By-law be amended so as to create one class of licence for limousine service. Current rates or fares are to be maintained; and,

(ii) That the licensing and regulating of Class "B" Livery Vehicles be repealed; and,

(iii) That the Annual Licence Fee for a Private Taxicab be reduced to a nominal fee of $5. where a Wheelchair Accessible Vehicle is utilized; and,

(iv) That the definition of taxi be extended to include vehicles with a legal capacity of ten persons including the driver; and,

(v) (1.) That any vehicle with a capacity in excess of 10 persons, including the driver, not be regulated; and

(2.) That persons operating smaller vehicles and providing special transportation services be requested to attend the Licensing Committee to explain why they should be excluded from regulation under the Taxicab By-law; and,

(vi) That, in 1993 February, a discussion paper be presented by the Licence Division on a revised Taxicab By-law to improve service to the public, reduce costs to the Taxi Industry and simplify the By-law respecting enforcement and compliance, with an aim to allowing the taxi industry to be more competitive on all fronts; and,

(vii) That any transportation of school children that originates and terminates within the boundaries of Hamilton be carried out by:

(1.) A school bus licensed by the Ministry of Transportation to carry ten (10) or more passengers or,

(2.) A taxi licensed by the City of Hamilton to carry nine (9) passengers or less; and,

(b) That staff develop by-law provisions implementing the above, with an aim to ensuring enforcement by complaint and inspection; and,

(c) That the City Solicitor be authorized and directed to prepare the necessary draft By-law to be brought back to the Taxi Advisory Committee for further consideration.

(b) **Proposed Freeze on Taxi Licence Increases.**

The Committee was in receipt of a report from the Secretary of the Taxi Advisory Committee dated 1992 November 24, respecting the above-noted matter.

The City Clerk indicated to the Committee that this matter should be referred to the Corporate Users Fees Process for discussion. Accordingly, the Committee agreed to refer this matter to the Committee of the Whole for consideration in the Corporate Users Fees Process at its meeting scheduled for Tuesday, 1992 December 15.

12. CITY CLERK - City Clerk's Department Reorganization.

The Committee was in receipt of a report from the City Clerk dated 1992 November 16, respecting the above-noted matter, and approved the following:

(a) That the organizational structure for the City Clerk's Department attached herewith and marked as Appendix "C", which provides for the following changes be approved.

(i) Elimination of the following positions:

(1.) Deputy City Clerk
(2.) Administrative Assistant IV
(3.) Typist Clerk II (Births & Deaths)
(4.) One Licence Inspector II

(ii) Reclassification/Retitling of the following positions to reflect reassignment of duties:

(1.) Manager, Records Division
(2.) Freedom of Information Officer
(3.) Administrative Assistant III
(4.) Counter Clerk
(5.) Smoking Information Officer

(b) That job descriptions for each of the above positions be prepared and forwarded to the Commissioner of Human Resources for review of salary classification for subsequent consideration and approval of the Core Group, Finance and Administration Committee and City Council; and,

(c) That the Inspection Section of the Licensing Division be relocated back to City Hall with the physical inspection of the Taxi Cabs being carried out in a portion of the City Garage; and,

(d) That renovations to the City Clerk's Department and City Garage required to accommodate these changes, be approved at an estimated cost of $52,100. and charged to Accommodation Requirements-City Hall and Security Improvements-City Hall accounts; and,

(e) That the property at 195 Rebecca Street, which is currently being utilized by the Inspection Section of the Licensing Division, be deemed surplus to the City Clerk's Department's needs and if deemed surplus to other municipal needs, be disposed of.

13. RESOLUTION - City of Vaughan - Surplus of Municipal Campaign Funds.

The Committee was in receipt of a resolution from the City of Vaughan dated 1992 November 18, respecting the above-noted matter, and approved the following:

That the following resolution from the City of Vaughan respecting Surplus of Municipal Campaign Funds, be received:

WHEREAS the Municipal Elections Act provides that any surplus municipal election campaign funds must be deposited with the Clerk to be held in trust for use in the next municipal election campaign or become part of the general funds of the municipality;

AND WHEREAS it may be desirable to utilize these surplus funds for charitable purposes;

NOW THEREFORE BE IT RESOLVED that the City of Vaughan requests the Minister of Municipal Affairs to amend the Municipal Elections Act to provide that candidates to municipal elected office have the option of expending surplus election campaign funds on a subsequent campaign or donating the funds to a registered charitable organization;

AND FURTHER THAT this resolution be forwarded to the Association of Municipalities of Ontario and all municipalities with a population over 50,000 for endorsation.

14. **SELECTION COMMITTEE - Appointments of Citizen members to various Committees/Boards/Commissions.**

The Committee was in receipt of the report from the Chairperson of the Selection Committee dated 1992 December 1, respecting the above-noted matter. This document had been forwarded to members of the Committee prior to the meeting under separate cover.

The Committee approved the following:

That the Finance and Administration Committee appoint the following persons to the following Sub-Committees under its jurisdiction for a term to expire 1994 November 30:

(a) **English Language Sub-Committee**

Michael Berens
Elvira Krackovic

(b) **Hamilton Status of Women Sub-Committee**

Gina Monaco
Carmen Nemeth
Janet Stewart

The Committee was in receipt of appointments being recommended for consideration to the Nominating Committee with respect to a number of Boards and Commissions. The Committee approved that a secret ballot vote would be conducted with respect to the following four (4) persons recommended by the Selection Committee for three (3) positions on the Hamilton Entertainment and Convention Facilities Inc. Board:

Tricia Hellingman
Jackie Isbester
Gene Kay
William Tidball

A secret ballot vote was then conducted by the Secretary and the City Clerk and following the count it was announced by the Chairperson that the following three (3) persons would be forwarded for appointment to the Nominating Committee to the Hamilton Entertainment and Convention Facilities Inc. Board:

Hamilton Entertainment and Convention Facilities Inc.
(for a term to expire 1995 December 31)

Tricia Hellingman
Jackie Isbester
William Tidball

The Committee agreed to forward the following names to the Nominating Committee for appointment:

(a) **Hamilton Civic Hospitals Board of Directors**

(i) **City Appointees**
(one to be appointed for a term to expire 1994 December 31 and two to be appointed for a term to expire 1996 December 31)

Joyce Caygill
Paul Milne
Lynda Templeton

(ii) **Hamilton Civic Hospitals Foundation Nominees**
(for a term to expire 1996 December 31)

Gordon Lawson
John Skirving

(b) **Hamilton Hydro Electric Commission**
(for a term to expire 1995 January 10)

Robert Misener

(c) **Keep Hamilton Clean Committee**
(four for a term to expire 1995 December 31 and one for a term to expire 1993 December 31)

James Auty
William Bratt
Lee Easton
Bob Jaggard
Evelyn Principato

(d) **Property Standards Committee**
(one for a term to expire 1994 November 30 and one for a term to expire 1995 November 30)

William Patterson
Murray Thompson

That the following appointment be forwarded to Regional Council for approval:

Land Division Committee
(for a term to expire 1995 November 30)

Donna Madden

15. COMMISSIONER OF HUMAN RESOURCES

(a) Property Department Salary Classification
- Manager, Real Estate Division
- Assistant Manager of Building Operations & Maintenance

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1992 November 26, respecting the above-noted matter and approved the following:

That the following salary classifications be approved:

(i)

POSITION TITLE	FUNCTION	SALARY GRADE	SALARY
Manager, Real Estate Division	Manages all aspects of the Real Estate Division. Ensures the effective and economic acquisition and disposition of property.	F	$67,462.20 - $79,383.20 per annum
(ii) Assistant Manager of Building Operations & Maintenance	Assists in the management of the property maintenance and caretaking programs for Civic properties. Directs the operations and maintenance building utility and HVAC systems.	H	$58,386.12 - $68,816.28 per annum

(b) Culture & Recreation Department Salary Classification
- Cultural Marketing Co-ordinator
- Curatorial Programming Assistant

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1992 November 26, respecting the above-noted matter and approved the following:

That the following salary classifications be approved:

(i)

Cultural Marketing Co-ordinator	Develops, builds and maintains a positive public profile and relationship for the arts and museums. Promotes the cultural component of the Culture & Recreation Department.	N	$37,794.64 - $44,568.68 per annum
(ii) Curatorial Programming Assistant	Supervises the day to day activities of interpretative staff and volunteers. Develops, implements and promotes public programs, events and activities.	N	$37,794.64 - $44,568.68 per annum

(c) **Fleet Services Reclassification - Administrative Co-ordinator**

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1992 November 26, respecting the above-noted matter and approved the following:

That the following salary classification be approved:

Administrative Co-ordinator (Fleet Services)	Supervise administrative staff. Plan, develop and administer annual budget. Analyze, monitor and maintain vehicle information records.	M	$40,640.60 - $47,819.20 per annum

16. **TREASURER AND DIRECTOR OF PUBLIC WORKS - Special Tax Charge - Proctor and Park Row Boulevards.**

The Committee was in receipt of a joint report from the City Treasurer and the Director of Public Works dated 1992 November 23, respecting the above-noted matter and approved the following:

That the "special tax" charge totalling $450. collected from the property owners bordering Proctor Boulevard and Park Row for the annual beautification maintenance of these boulevards, be eliminated.

17. **TREASURER**

(a) **Mountain Skating Centre - Funding Adjustments.**

The Committee was in receipt of a report from the City Treasurer dated 1992 November 20, respecting the above-noted matter and approved the following:

That the recommendation with respect to the addition to the Mountain Skating Centre to serve as a multi-purpose space, as approved by City Council on 1992 July 28, in adopting the Fourteenth Report of the Parks and Recreation Committee, and which reads:

"8.(a) That the Director of Culture and Recreation and the Director of Property be authorized to proceed with a design-built, 1,200 square foot addition to the Mountain Skating Centre to serve as multi-purpose space at a cost not to exceed $100,000. contingent upon a financial contribution from the Hamilton Skating Club.

(b) That funding be provided from Account No. CF709041011."

be expanded to account for the revised project total and the disposition of financing, as follows:

(a) that the gross cost of the Twinning of the Mountain Arena be increased by $35,000. from $2,011,590. to $2,046,500. to accommodate the addition to the Mountain Skating Centre, and

(b) that any excess funding from the Reserve for Capital Projects as a result of provincial subsidies and the Hamilton Skating Club contribution, be credited back to the Reserve for Capital Projects.

(b) **Financing of 1988 to 1992 Roadway Reconstruction Programs.**

The Committee was in receipt of a report from the Treasurer dated 1992 November 18, respecting the above-noted matter and approved the following:

(a) That the following transfers be approved to distribute Ministry of Transportation (M.T.O.) subsidies to the 1988 to 1991 Roadway Reconstruction Programs:

Program (1)	From (2)	To (3)
1988 Reconstruction Program	$ 289,523.04	
1989 " "	354,758.03	
Excess Unallocated M. T. O. Subsidies	3,201,120.93	
1990 " "		$1,037,402.00
1991 " "		2,808,000.00
	$3,845,402.00	$3,845,402.00

(b) That an amount of $1,000,000. be transferred from the Excess Unallocated M.T.O. Subsidies to the 1992 Reconstruction Program to reduce the amount of Capital Levy financing required.

(c) **Analysis of Reserves**

The Committee was in receipt of a report from the Treasurer dated 1992 November 26, respecting the above-noted matter and approved the following:

(a) That the "Reserve for Capital Projects - C.U.P." be closed and the balance of $3,858. transferred to the "Reserve for Capital Projects" (City); and,

(b) That the "Reserve for Long Term Disability Plan" be combined with the "Reserve for Medical" and "Reserve for Group Life" and be renamed "Reserve for Employee Benefits - Self Insurance" to better reflect the mix of funding in this account related to Group Life, L.T.D., and medical costs, and the goal of wholly funded self-insurance for each of these benefits; and,

(c) (i) That the "Reserve for Office Equipment", which presently covers replacement of motorized office equipment, be renamed "Reserve for Replacement of Office Equipment and Furniture" and the purpose be amended to include replacement of facsimile equipment and furniture such as chairs, tables, desks, work stations, dividers, etc.; and,

(ii) That expenditure approval for replacement from this reserve include the C.A.O., Treasurer and Manager of Purchasing, in accordance with the spending limits and purchasing policies of the City; and,

(d) That a new reserve, the "Reserve for G.S.T. Adjustments" be created and funded from the unanticipated G.S.T. recovery associated with the Hamilton Hydro's appeal for special municipal status with respect to charging G.S.T., and the subsequent reimbursement to the City, in the amount of $134,343.; and,

(e) That actuarial valuations be performed on the following reserves in order to determine the appropriate level of funding, and that the costs of the valuations be charged to the applicable reserve:

(i) Reserve for Sick Leave (payment of employee's accumulated sick bank upon termination or retirement)

(ii) Reserve for Workers' Compensation (payment to W.C.B. for costs of worker injuries plus administration fees by W.C.B.)

(iii) Reserve for Employee Benefits - Self Insurance (to fund group life, L.T.D. and medical costs).

(f) That the "Reserve for Maintenance of Playground Facilities" be closed and the balance of $47,970. plus any accrued interest be transferred to the Playground Equipment Project (709152001) to fund the net overdraft in that project of $41,642. with the balance to be credited to Unallocated Capital Levy; and,

(g) That the "Reserve for Uninsured Losses" be credited with any unexpended balance remaining in the insurance premiums cost centre at the end of each year in order to assist in the funding of this reserve; and,

(h) That unallocated Capital Levy at the end of each year be transferred to the Reserve for Capital Projects to form part of the funding for future capital projects; and,

(i) For the information of the members of City Council, copies of a booklet entitled "Analysis of Reserves", dated 1992 November 26th, were distributed to members of the Finance and Administration Committee and are available from the Committee Secretary upon request.

(d) **Write-Off of Outstanding Business Taxes.**

The Committee was in receipt of a report from the Treasurer dated 1992 November 27, respecting the above-noted matter and approved the following:

That outstanding business taxes in the amount of $356,743.05, be written-off in accordance with Section 441 of the Municipal Act, R.S.O., 1990, and charged to Account CH53401-24106, Tax Write-offs.

(e) **Write-Off of Outstanding Accounts Receivable and Civic Properties Rental Arrears.**

The Committee was in receipt of a report from the Treasurer dated 1992 November 27, respecting the above-noted matter and approved the following:

That outstanding Accounts Receivable and Civic Properties Rental Arrears totalling $42,408.40 be written off and charged to Account CH 15401-00001, Allowance for Doubtful Accounts.

(f) **Participation in Joint Investment Funds.**

The Committee was in receipt of a report from the Treasurer dated 1992 November 25, respecting the above-noted matter and approved the following:

That the Treasurer be authorized to complete any documents necessary to participate in joint investment pools authorized under the Municipal Act or other enabling Provincial legislation.

(g) **Reserve requirement of the Revised Cemeteries Act - Bill 31.**

The Committee was in receipt of a report from the Treasurer dated 1992 November 27, respecting the above-noted matter and approved the following:

That as a result of amendments to the Cemeteries Act by Bill 31 "An Act to Revise the Cemeteries Act", the Treasurer be authorized to take the following actions with respect to reserves/trust funds:

(a) Create a new reserve entitled "Reserve for Cemetery Building Fund - Niches" to be funded by 42.5% of the revenue received from the sale of niches; and,

(b) Create a new Trust Fund entitled "Care and Maintenance Fund for Monuments and Markers" to be funded by the formula provided under the Cemeteries Act, which is a separate charge to ensure safety of markers and monuments; and,

(c) Re-title the "Perpetual Care Trust Fund" to the "Care and Maintenance Fund".

18. **PROPERTY/TAXATION PROJECT STEERING COMMITTEE - MAPP - Status; and Expanding the Monthly Automatic Payment Program (MAPP) allowing Taxpayers to enrol during the year.**

The Committee was in receipt of a report from the Property/Taxation Project Steering Committee dated 1992 November 25, respecting the above-noted matter and approved the following:

That effective 1993 January 1, taxpayers be permitted to enrol in the Optional Monthly Automatic Payment Plan (MAPP) at any point in time during the year. This enrolment is subject to the taxpayer's compliance with the requirements of By-law Number 71-69. In addition enrolment during the year would require that all tax arrears as well as the current instalment due be paid.

19. **TASK FORCE TO REVIEW THE CIVIC AWARDS PROGRAMME - Revisions to Awards and Procedures.**

It was indicated to the Committee that the Task Force is not at the stage of presenting a report since they are in the process of creating a prototype award alternative.

ADDED - Single Tier Administrative Integration

The Committee was in receipt of an added report from the Secretary of the Single Tier Bureaucracy Review Steering Committee dated 1992 December 2, respecting Administrative Integration, as well as a report from the Treasurer dated 1992 December 3, respecting the financing of the City's share of the cost of hiring a Consultant.

Some discussion ensued with respect to this matter and is was agreed that a special meeting of the Finance and Administration Committee should be held prior to City Council on Tuesday, 1992 December 8, in order to invite all members of City Council to hear a presentation on this matter.

ADDED - Ontario Hydro Increases

Alderman Agostino spoke to the Committee with respect to his concerns that the recent increase being levied by Ontario Hydro for Hydro rates and the subsequent response that will necessitate Hamilton Hydro raising its rates to reflect these costs increases.

The Committee then approved the following:

(a) That the City of Hamilton petition the Premier of Ontario to protest the action taken by Ontario Hydro to increase the cost of power effective 1993 January 1, by approximately 8.2%, despite current economic hardships; and,

(b) That Hamilton Hydro be commended for its attempts to manage this Provincial increase as efficiently as possible by levelling a rate increase of 6.91%.

The Committee then moved In-Camera to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session and approved the following:

(a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 15162/89 by accepting payment from the Defendants, Manuel Raposo and Delta Ready Mix Limited of $12,000. inclusive of all damages, interest and costs; and,

(b) That City of Hamilton resolve Ontario Court (General Division) Action No. 15259/89 by accepting payment from the Defendants, Manuel Raposo and Delta Ready Mix Limited the sum of $9,200. inclusive of all damages, interest and costs; and,

(c) That the City provide Full and Final releases in a form satisfactory to the City Solicitor in both actions, and that both actions be dismissed.

(a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 32435/91 by the payment to the Plaintiff, Andrew Wilson, of the sum of $15,765. inclusive of all damages, interest and costs; and,

(b) That the Plaintiffs be required to sign a Full and Final Release in a form satisfactory to the Law Department; and,

(c) That the Ontario Court (General Division) Action No. 32435/91 and any and all crossclaims shall be dismissed without costs.

(a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 26772/91 by the payment to the Plaintiffs, Anna and Paul Chaisson of the sum of $6,000. inclusive of all damages, interest and costs; and,

(b) That the Plaintiffs be required to provide a Full and Final Release in a form satisfactory to the Law Department; and,

(c) That Ontario Court (General Division) Action No. 26772/91 be dismissed without costs.

(a) That the City decline the Plaintiffs' Offer to Settle Ontario Court (General Division) Action No. 418/90, dated 1992 September 2nd; and,

(b) That the City of Hamilton make an Offer to Settle Ontario Court (General Division) Action No. 418/90 in the following terms:

(i) That the City of Hamilton pay to the Plaintiffs, Edward Gerard Cross, Angela Nicole Cross, Heather Cross by her litigation guardian, Angela Nicole Cross and Edward Cross junior, by his litigation guardian, Angela Nicole Cross the sum of $20,000. inclusive of all General and Special Damages; and,

(ii) That the City of Hamilton pay to the Plaintiffs pre-judgment interest on the above noted sum at the rate of 5% per annum, calculated from the date of notice to the City to the date of payment pursuant to acceptance of the Offer; and,

(iii) That the City of Hamilton pay to the Plaintiffs their Party/Party costs, including disbursements, to be agreed or assessed; and,

(iv) That the Plaintiffs provide a Full and Final Release in a form satisfactory to the City Solicitor; and,

(v) That the action be dismissed without costs.

22. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1992 December 3

Tuesday, 1992 December 8
5:30 o'clock p.m.
Room 233, City Hall

A special meeting of the Finance and Administration Committee was held.

There were present:
Alderman D. Ross, Chairperson
Alderman B. Charters, Vice-Chairperson
Mayor Robert M. Morrow
Alderman V. Agro
Alderman D. Drury
Alderman T. Cooke
Alderman G. Copps
Alderman D. Agostino
Alderman T. Anderson

Also present:
Alderman B. Morelli
Alderman F. Eisenberger
Alderman M. Kiss
Alderman H. Merling
Alderman D. Wilson
Alderman T. Jackson
Alderman F. D'Amico
J. Pavelka, Chief Administrative Officer
J. Schatz, City Clerk
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
P. Barkwell, Law Department
D. Jones, Human Resources Centre
M. Watson, Real Estate Division
J. Johnston, Commissioner of Human Resources
J. Thompson, City Clerk's Office
L. King, Building Commissioner
B. Sugden, Director of Culture and Recreation
D. Kilpatrick, Acting Chief Executive Officer, Hamilton Public Library
Fire Chief Baker
G. Macaluso, Managing Director/Chief Executive Officer, H.E.C.F.I.
J. Hindson, Commissioner of Information Systems
Susan K. Reeder, Secretary

The Committee was in receipt of a report from the Secretary of the Single Tier Bureaucracy Review Steering Committee dated 1992 December 2, respecting Administrative Integration.

The Committee was also in receipt of a report from the Treasurer dated 1992 December 3, respecting Financing the City's Share of a Consultant - re: Administrative Integration.

As background information, the Committee was also in receipt of the Agenda of the Single Tier Bureaucracy Review Steering Committee meeting held Wednesday, 1992 December 2, which contained background information on the subject matter of Administrative Integration.

The Committee then discussed the issue of Administrative Integration at some length and various points in the discussion ensued with respect to matters such as whether the internal staff could be doing the Review, instead of hiring a Consultant to the study. It was indicated by members of the Committee, as well as staff, that it is their view that the study is a full time task which cannot be accommodated within the present work structure of staff.

The Chief Administrative Officer clarified that there will be in-house involvement with the staff doing the leg work of the organizational study to thus capitalize on the Consultant's expertise in the area of re-organizational structures.

Alderman Agostino expressed concerns at the logistics of the recommendation in approving the integration and then hiring a Consultant to tell the City if there are cost savings in the change. He indicated that the recommendation should indicate that the study will be conducted to determine whether Administrative Integration is feasible and cost effective rather than simply stating that the integration occur. A considerable amount of discussion ensued with respect to this concern.

Alderman Morelli questioned whether the study will involve a functional analysis of the present organizational structure and it was clarified that the study would analyse the functions of the present administrative structure.

Moved by Alderman Agostino, seconded by Alderman Anderson, and **CARRIED TO AMEND** Section (a) of the recommendation to include the words "to prepare a plan" after the word "action" in the recommendation.

MOTION CARRIED WITH A RECORDED VOTE:

Yeas: Alderman Drury, Cooke, Copps, Agro, Anderson

Nays: Alderman Ross, Charters

The Committee voted to approve the Section (a) of the recommendation as amended.

MOTION CARRIED WITH A RECORDED VOTE:

Yeas: Alderman Cooke, Agostino, Drury, Copps, Agro, Ross, Charters, Mayor

Nays: Copps

The Committee also approved that Section (b) of the recommendation also contain the words "to prepare a plan" after the word "Consultant" in the second line.

Note: Alderman Copps and Alderman Drury opposed.

The Committee approved Section (c) of the recommendation with the added words "at which time City Council will vote on implementing an Administrative Integration" at the end of the words "March 15:.

Note: Alderman Copps opposed.

The Committee approved Section (d) of the recommendation with the words "to prepare a plan" at the end of the word "Consultant" in the second line.

Note: Alderman Copps opposed.

The Committee thus approved the following amended recommendation:

(a) That the City of Hamilton take all necessary action to prepare a plan to integrate its administration with the administration of the Regional Municipality of Hamilton-Wentworth; and,

(b) That the Steering Committee on Administrative Integration be authorized to seek out a Consultant to prepare a plan to assist in implementing this integration at a cost not to exceed $150,000. to be shared equally between the City and Region; and,

(c) That the Steering Committee on Administrative Integration report back to Council with an action plan not later than 1993 March 15, at which time City Council will vote on implementing an Administrative Integration; and,

(d) That the $75,000. City's share, or one-half of the estimated cost not to exceed $150,000. for a Consultant to prepare a plan to assist in implementing an Administrative Integration, be financed from the Reserve for Contingency, Centre 00115.

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1992 December 8

Tuesday, 1992 December 15
4:00 o'clock p.m.
Room 233, City Hall

A special joint meeting of the Finance and Administration Committee and the Regional Administrative Services Committee was held.

There were present: Alderman D. Ross, Chairperson
Alderman B. Charters, Vice-Chairperson
Mayor Robert M. Morrow
Alderman D. Drury
Alderman T. Anderson
Alderman D. Agostino
Alderman T. Cooke
Alderman V. Agro
Alderman G. Copps

Also present: Alderman F. D'Amico
Alderman D. Wilson
Alderman H. Merling
Alderman T. Jackson
Alderman F. Eisenberger
Regional Councillor Etherington
Regional Councillor MacIntyre
Regional Councillor Shaw
Regional Chairman Reg. Whynott
Regional Councillor Hodgson
M. Carson, Regional Chief Administrative Officer
L. Bourns, Human Resources Centre
P. Noé Johnson, City Solicitor
A. Ross, Treasurer
J. Johnston, Commissioner of Human Resources
Lynda Sohal, Legislative Assistant, Administrative Services Committee
Susan K. Reeder, Secretary

The Committees agreed to move In-Camera to discuss a matter of a Private and Confidential nature, respecting Dofasco Inc. Assessment Appeal.

The Committees then moved back into Regular Session and the City's Finance and Administration Committee approved the following:

(a) That the appropriate Minutes of Settlement in the Assessment Appeal of Dofasco Inc. be approved and the Mayor and City Clerk be authorized to sign the documents.

(b) That the City remit the necessary funds subject to the finalization of the Minutes of Settlement to the satisfaction of the City Solicitor and the approval of the Ontario Municipal Board and the Assessment Review Board, in accordance with statutory procedure.

<u>Non-Union Salary Increases</u>

The City's Finance and Administrative Committee **received** for information purposes the approved recommendation of the Committee of the Whole, respecting Non-Union Salary Increases as follows:

That Council re-consider and rescind its decision of 1991 April 2 contained within Sub-section a) of Section 2 of the Seventh Report for 1991 of the Finance and Administration Committee with respect to a 1993 salary increase and replace it with the following in lieu thereof:

(a) that members of City Council receive a 0% increase for 1993

(b) that non-union staff receive a 0% increase for 1993

(c) that labour costs within each defined employee group and City Council be held at the 1992 level. Labour cost is defined as the gross salary cost for that bargaining unit or group of employees and does not include benefits

(d) that management team be directed to prepare a plan which would achieve this goal in the 1993 budget year including the following:

  (i) strategy for discussing alternatives to layoffs with each of the bargaining units

  (ii) layoff packages which minimize the reduction in service

  (iii) strategies which would include early retirement packages, continuous improvement, and delayering of management staff

(e) that the Commissioner of Human Resources be directed to prepare a report including a Request for Proposal to replace the current non-union salary classification plan and present it to the Finance and Administration Committee prior to consideration of the budget

(f) that pending a decision by Council on the report in recommendation e) that all re-classifications and merit increases within the non-union and management staff be held in abeyance

(g) that the Management Team be directed to pursue opportunities within the current workforce for job sharing and or part time employment

(h) that the Commissioner of Human Resources in consultation with the Treasurer prepare a report on possible early retirement incentives for discussion with those bargaining units who are prepared to discuss alternatives

That the Commissioner of Human Resources be authorized and directed to enter into negotiations on current collective agreements with Civic unions to pursue alternatives to layoffs and job loss within the Civic workforce.

The Regional Administrative Services Committee then met to consider the above-noted matter for presentation to Regional Council and a matter respecting the Dofasco Assessment Appeal.

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1992 December 15

B (i)

CITY OF HAMILTON

- RECOMMENDATION -

DEC 16 1992

DATE: 1992 December 15

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: **SHAIR International - Use of Display Area**

RECOMMENDATION:

(a) That approval be given to the request of SHAIR International Resource Centre to display information on SHAIR, consisting of a logo and pamphlets, in the first floor foyer at City Hall for a three week period in January.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

SHAIR International Resource Centre is a community based organization serving the Hamilton area since 1970. SHAIR is a global education centre with a mandate of providing information and facilitating analysis regarding global issues such as poverty, hunger, the environment, human rights, and people's efforts for a better life and the impact these issues have in the local area.

SHAIR has four major programming areas: schools and youth programmes, public programmes, a library, and a monthly newsletter.

2 ...

The display will consist of a logo, information on SHAIR, and a pocket to hold pamphlets, all of which will be mounted on a piece of foam core measuring 20" x 40".

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

B (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1992 December 15 DEC 16 1992

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: **Westdale Secondary School Art Display**

RECOMMENDATION:

(a) That approval be given to the request of Westdale Secondary School to use the east and west areas of the second floor foyer for a display of student work from 1993 May 03 - May 15.

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A/

BACKGROUND:

This will be the second year in which Westdale Secondary School have displayed student artwork at City Hall

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

B (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DEC 16 1992

DATE: 1992 December 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: **Santa Sock '92 Campaign**

RECOMMENDATION:

(a) That approval be given to the action taken by the City Clerk in authorizing the Santa Sock '92 Campaign to use the second floor foyer from 12:00 noon to 1:00 p.m. on Tuesday, 1992 December 22 for their annual ticket drawing ceremony.

((b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Each year the Hamilton Life Underwriters Association in co-operation with the local Cystic Fibrosis Chapter and area Zellers stores participate in the Santa Sock fund raising event. Almost $10,000.00 has been raised in the last three years.

2 ...

Two weeks prior to Christmas, Life Underwriters sell raffle tickets from booths set up in Zellers stores. Twenty winning tickets are then drawn at a drawing ceremony, which was held last year at Burlington City Hall.

This year it was proposed to hold the draw at Hamilton City Hall and His Worship Mayor Robert M. Morrow and Regional Chairman Reg Whynott were invited to be "drawmasters". The ceremony will take approximately 20 minutes and the media have been invited to attend.

cc: Mayor's Office
Mr. R. Swan, Manager, Property Maintenance Division
Information Desk
File

C (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1992 December 14

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Proposed Construction of Sidewalks, Curbs and Roadway on Forbes Street

RECOMMENDATION:

That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct concrete sidewalks and curbs and a finished roadway on Forbes Street from approximately 40m south of Blossom Lane to approximately 57m southerly at an estimated gross cost of $47,400 with a City's share of $15,540 to be financed from 1992 Capital Levy and the balance of $31,860, being the Owner's share, to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $31,860 for a term not to exceed 20 years for the above project.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation. The project is included in the 1992-2001 Capital Budget Program.

Allan C. Ross

BACKGROUND:

This item is to be considered by the Transport and Environment Committee on January 4, 1993.

NRA:jc

c.c. K. Christenson, Secretary, Transport and Environment Committee
D. Lobo, Director of Public Works
P. Noé Johnson, City Solicitor
G. W. Lawson, Treasurer and Commissioner of Finance, Region
Attention: G. Davis

C (iii)

CITY OF HAMILTON

- INFORMATION -

DATE: 1992 December 16

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: **Status of Unclassified Revenue and Expenditures as at November 30, 1992**

BACKGROUND:

Attached are the analyses of the Unclassified Revenue account and the Unclassified Expenditures account for the period ending November 30, 1992.

for the year ended 1991 Budget	Actual	Description	Budget	Actual to date	Balance Available (to come)
$(50,000.00)	$ (41,263.73)	Unclassified Revenue	$(50,000.00)	$(58,156.43)	$(8,156.43)
75,000.00	106,568.53	Unclassified Expenditures	65,000.00	62,919.12	2,080.88

It should be noted that Unclassified Expenditures were reduced by $10,000.00 during the budget review, to $65,000.00, in comparison with the year 1991 where an overdraft of $31,568.53 occurred.

These accounts will be forwarded to this Committee on a monthly basis for the information of the members.

Allan C. Ross

Allan C. Ross

KL:jc
Attachment

CITY OF HAMILTON
TREASURY

UNCLASSIFIED REVENUE
AS AT NOVEMBER 30, 1992

CENTRE NUMBER:CH 24201
Appropriation: $ 50,000.00

COMMISSIONS:	
Bell Telephone	6,071.13
SALES:	
Photocopier Revenue	2.30
MISCELLANEOUS:	
Cheques Written Off/Reinstated	49,607.47
Witness Fees	98.00
Sales Tax	191.92
Other Revenues	2,185.61
Total Revenue To Date	58,156.43
Less: Appropriation	50,000.00
Surplus (Deficit)	8,156.43

CITY OF HAMILTON
TREASURY

UNCLASSIFIED EXPENDITURES
AS AT NOVEMBER 30, 1992

Centre Number: CH 24210
Appropriation: $ 65,000.00

LUNCHEONS, DINNERS, SANDWICHES, COFFEES, ETC.

City Council	3,048.82
Finance and Administration Committee	3,493.83
Parks and Recreation Committee	3,509.27
Planning and Development Committee	3,433.04
Transport and Environment Committee	1,844.35
Keep Hamilton Clean Citizen's Committee	270.52
Crystal Palace Subcommittee	1,386.47
Golf Subcommittee	127.75
Hamilton Historical Board	3,199.11
Citizen Advisory	746.71
Advisory for Equitable Representation	12.10
Committee of Adjustment	1,342.05
CAIP Subcommittee	222.24
Non Profit Housing	255.07
Hamilton Housing Corporation	90.91
License Subcommittee	1,566.85
Farmers Market Subcommittee	448.43
English Subcommittee	212.89
French Subcommittee	1,513.00
Taxicab Taskforce Subcommittee	750.54
Property Standards Subcommittee	22.76
Capital Budget Subcommittee	19.87
Current Budget Subcommittee	48.51
Information Systems	52.50
Mundialization Committee	902.99
Football Hall of Fame	1,382.72
Canusa Games Committee	1,182.48
Civic Charity Committee	92.02
Management Team	917.95
Hamilton Arts Award	2,298.87
One Tier Review Committee	235.48
Total Committee Expenditures	34,630.10

Continued Page 2.....

CITY OF HAMILTON
TREASURY

UNCLASSIFIED EXPENDITURES
AS AT NOVEMBER 30, 1992

Centre Number: CH 24210
Appropriation: $ 65,000.00

MISCELLANEOUS

Collection Agency Fees	918.68	
Cashiers Over & Short	(3.68)	
258 Beach Blvd. - Maintenance Charges	346.70	
Flowers & Wreaths	333.01	
By-law Registration	472.00	
Parking and Cab expenses	746.69	
Hydro Charges - Road Sign	162.12	
Long Term Employee Gift Fund	600.00	
C.N.R. - Realty Taxes - City Yard Storage	4,958.19	
P. A. Sound Systems Various Meetings	138.75	
Corporate Challenge	2,474.26	
Isc Paper Recycling Canada	7,598.31	
State Visit Foreign Official	19.43	
Italian Students Delegation	399.60	
Canadian Taxi Association Membership	100.00	
Brott Summer Music Festival	342.30	
Japanese Students Visits	160.90	
Payroll Write-off	204.66	
Smoking Cessation Program	417.65	
Blast Off for United Way	700.56	
International Great Lakes Mayor's Conference	6,128.51	
Omers Adjustments	94.99	
Arts in the Cities-C. York	461.22	
Damage to Car-Rousseau	170.89	
Voyageur '92 Program Group, Nfld.	218.28	
Total Miscellaneous Expenditures	28,164.02	
Total Expenditures		62,794.12
Add: Commitments		
Purchase Tables - Tiger-Cat Wall of Fame Dance	125.00	
Total Commitments		125.00
Adjusted Total		62,919.12
Less: Appropriation		65,000.00
Balance - Surplus (Deficit)		2,080.88

C (iv)

CITY OF HAMILTON

- INFORMATION -

DATE: 1992 December 16

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: **Status of Hosting, Receptions and Related Accounts**

BACKGROUND:

Attached are the following analyses of accounts related to hostings and receptions as at November 30, 1992, with a comparison to the year 1991:

for the year ended 1991			to November 30, 1992		
Budget	Actual	Description	Budget	Amount Spent & Committed	Balance Available
$50,000.00	$48,000.00	Hosting of Conferences with Municipal Subject Content	$16,000.00	$17,354.37	$(1,354.37)
10,000.00	8,036.18	Receptions - City Hall	10,000.00	8,709.57	1,290.43
48,000.00	47,130.44	Special Civic Receptions and Delegation Hosting	40,000.00	26,403.41	13,596.59
15,000.00	10,982.04	Civic Pins, Medals and Rings	15,000.00	21,041.94	(6,041.94)
3,910.00	7,952.99	Use of City Hall - Outside Groups	3,910.00	7,524.47	(3,614.47)
$126,910.00	$122,101.65		$84,910.00	$81,033.76	$ 3,876.24

Please note that three of the above accounts are in overdraft, however the bottom-line total of the five accounts is within budget.

These accounts are forwarded to this Committee on a monthly basis for the information of the members.

Allan C. Ross

KL:jc
Attachment

City of Hamilton
HOSTING OF CONFERENCES WITH MUNICIPAL SUBJECT CONTENT
Account CH 55307 80040
for the period ended November 30, 1992

COUNCIL MEETING	DESCRIPTION	AMOUNT $	TOTAL $
92/02/25	Children's International Games Lausanne, Switzerland - March 18 - 22, 1992 (Bob Sugden, Director of Culture & Recreation)	2,154.37	
92/05/12	Ontario Recreation Forum-Conference Hamilton, Ontario - May 7-9, 1992 (Bob Sugden and 5 Culture & Recreation Staff)	1,200.00	
90/11/27	1992 Ontario Seniors Games (City Contribution)	14,000.00	
	Total Actual Expended and Committed to date		17,354.37
	LESS: Appropriation		16,000.00
	SURPLUS (DEFICIT)		(1,354.37)

City of Hamilton
RECEPTIONS - CITY HALL
Account CH 55313 84010
for the period ended November 30, 1992

REFERENCE NUMBER	DATE	DESCRIPTION	AMOUNT $
160418	92/01/10	Mayor's Office	7.77
161035	92/01/25	Ukrainian Independance Day	490.62
161035	92/01/26	Associazione Musicale	626.70
161801	92/01/28	Mayor's Office	11.66
161801	92/01/29	Mayor's Office	21.86
161801	92/01/29	Mayor's Office	15.54
163300	92/02/18	Mayor's Office	37.46
165018	92/03/04	Mayor's Office	599.40
165018	92/03/06	Mayor's Office	116.55
165018	92/03/11	Mayor's Office	15.54
165018	92/03/11	Mayor's Office	219.50
165018	92/03/12	Mayor's Office	15.54
165018	92/03/13	Mayor's Office	84.25
165018	92/03/13	Mayor's Office	15.54
166034	92/03/17	Mayor's Office	15.54
166377	92/04/02	Mayor's Office	15.43
166377	92/03/24	Mayor's Office	15.54
167352	92/04/08	Mayor's Office	7.77
167352	92/04/09	Mayor's Office	24.86
168076	92/04/12	Jewish Community Centre	339.61
168076	92/04/07	Mayor's Office	190.48
168437	92/04/26	Mayor's Office	140.86
168437	92/04/21	Mayor's Office	38.85
168437	92/04/24	Mayor's Office	19.53
168707	92/04/28	Mayor's Office	646.41
168707	92/04/28	Mayor's Office	25.53
168707	92/04/29	Mayor's Office	109.89
168707	92/04/30	Mayor's Office	20.21
168707	92/05/02	Mayor's Office	240.54
169428	92/05/05	Mayor's Office	376.06
169428	92/05/06	Mayor's Office	202.58
169428	92/05/06	Mayor's Office	66.27
169428	92/05/10	Mayor's Office	140.86
170677	92/05/12	Mayor's Office	83.25
170677	92/05/15	Mayor's Office	7.77
171213	92/05/27	Mayor's Office	5.78
171213	92/05/28	Panel on Violence Against Women	71.87
171213	92/05/29	Croation Union	14.66
171213	92/05/29	Boy Scout Parade Reception	21.87
171213	92/06/01	Mayor's Office	39.57
171528	92/06/04	Mayor's Office	71.04
171528	92/06/06	Lusofest Celebrations	668.78
171528	92/06/12	Mayor's Office	31.64
171528	92/06/12	Mayor's Office	334.39
172636	92/06/19	Mayor's Office	40.24
172636	92/06/20	Mayor's Office	104.57
172636	92/06/22	Occupational Health & Safety Week Proclamation	38.85
174283	92/06/24	Beth Phinney Voyageurs - Football Hall of Fame	122.54
174283	92/06/26	Mayor's Office	100.13
174283	92/07/06	Mayor's Office	35.52
175784	92/07/06	Mayor's Office	11.66
176546	92/07/21	Visit - Michele Nicola Caruso	70.76
177572	92/07/22	Otigheim Orchestra	101.89
177875	92/08/04	Mayor's Office	7.77
177875	92/08/09	Plough Shares Event	93.52
179052	92/08/19	Mayor's Office	189.58
179052	92/08/19	Mayor's Office	135.37
179052	92/08/19	Voyageur Groups	107.28
179052	92/08/20	Mayor's Office	58.28
179052	92/08/22	Mayor's Office	59.39
180818	92/09/08	Arthritis Month Proclamation	71.60
180818	92/09/10	Mayor's Office	11.66
181953	92/09/16	Visiting Mayor's from Italy	486.18
181953	92/09/18	Chamber Music Choir from Latvia	50.95

181953	92/09/18	Legion Week Proclamation	26.20
182473	92/09/22	Raise the Flag	15.54
184595	92/10/01	Voyageur Group - Educator	36.4[illegible]
184595	92/10/01	Lupus Proclamation	30.[illegible]
184595	92/10/02	Mayor's Office	19.4[illegible]
184595	92/10/05	Columbus Week Proclamation	52.61
184595	92/10/06	Voyageur Group	58.99
184595	92/10/06	Mayor's Office	7.77
184595	92/10/13	City Council Meeting	17.76
184595	92/10/14	Ministry of Housing	11.66
184595	92/10/14	Yes Committee - Mary Gallager	18.87
184595	92/10/19	Mayor's Office	18.87
184595	92/10/23	Mayor's Office	51.06
184595	92/10/28	Mayor's Office	29.97
185752	92/11/02	Mayor's Office	26.64
185752	92/11/03	Mayor's Office	18.32
185752	92/11/06	Mayor's Office	18.87
186635	92/11/10	Voyageur Group - St. John's, Nfld.	87.30
		Total Actual Expended to Date	8,709.57
		LESS: Appropriation	10,000.00
		SURPLUS (DEFICIT)	1,290.43

City of Hamilton
SPECIAL CIVIC RECEPTIONS AND DELEGATION HOSTING
Account CH 55314 84010
for the period ended November 30, 1992

COUNCIL MEETING	DESCRIPTION	AMOUNT $	TOTAL $
-	Reception for the Commissioner of Employment Equity January 8, 1992	614.34	
92/03/31	2nd Annual Steel City Senior Bowl - June 27, 1992	1,000.00	
92/03/31	Dr. Elena Bonner, The Bertrand Russel Peace Lecturer - March 26, 1992	799.20	
-	Italian General Avarello	440.08	
92/04/28	Royal Hamilton Military Institute - April 18, 1992 General Crerar, Brigadier Todd & Family	268.29	
-	M.O.E. Citizen Committee Breakfast Meeting May 12, 1992	217.48	
-	Royal Bank V.P.'s Breakfast meeting - May 11, 1992	216.90	
92/05/12	Roberta Bondar Reception - May 14, 1992	2,898.71	
-	Dinner for CIBC Chairman - April 23, 1992	1,013.45	
-	Jean's Flower Shop Inc. - May 20, 1992	42.74	
92/02/25	Hamilton International Air Show June 20 - 21, 1992	8,000.00	
92/03/31	National Conference Canadian Association of Elizabeth Fry Societies June 11, 1992	408.50	
-	German Orchestra - July 22, 1992	1,287.25	
92/04/28	Academic Folklore Group from Ljubljana, Slovenia August 20, 1992	54.11	
92/06/30	1992 Canada Cup of Wrestling & Olympic Team July 1, 1992	3,000.00	
92/09/29	Famous People's Players September 29, 1992	750.00	
92/09/29	Ministry of Municipal Affairs - Reception Learning Together - October 28, 1992	2,310.51	
-	The John Laing Singers 10th Anniversary - Reception	443.40	
92/10/27	Canadian Olympic Athletes November 1, 1992		
	Luncheon - Hamilton Convention Centre	2,442.75	
	Bus Trip - Convention Centre to Ivor Wynne Stadium	195.70	
	Total Expended		26,403.41
	Total Actual Expended and Committed to date		26,403.41
	LESS: Appropriation		40,000.00
	SURPLUS (DEFICIT)		13,596.59

City of Hamilton
CIVIC PINS, MEDALS AND RINGS
Account CH 56126 84010
for the period ended November 30, 1992

REFERENCE NUMBER	DESCRIPTION	AMOUNT $
161389	1 - 10k Man's Civic Ring & 1 - 5pt C Diamond & Box	322.04
162471	5 - 10k Man's Civic Ring & 5 Boxes	1,138.47
162471	63 Civic Pins & 63 Boxes	1,494.40
L306919	Civic Award	(235.90)
164444	24 - GF Civic Pinette & 24 Boxes	569.30
165800	5-10K Civic Rings - School Pins/Rings	2,497.50
168428	2 - 5pt Genuine Ruby, 2 - 5pt Diamond W/Collet and 7 - 5pt Diamond	962.37
169865	7 - 10k Man's Civic Ring & 7 Boxes	1,593.86
172365	26 - S/S Provincial Champs Pinette	575.18
174166	School Pins/Rings	499.50
L309684	City Clerks - Civic Ring	(192.77)
180812	999M MD 10K Civic Champs Ring & Box	3,415.42
180812	S/S & GF Civic Champs Pinette & Box	683.93
180812	Genuine Ruby - 2-5PT 'C' Diamonds	301.92
180812	999M MD 10K Civic Champs Ring & Box	227.69
L310233	City Clerks - Civic Awards	(310.22)
PO#14052	10K Civic Champs Ring, 5PT 'C' Diamond, '5PT Genuine Ruby, 1 Box	186.07
PO#14052	10 Civic Champ Pinette & Boxes	143.52
PO#14052	1-10K Lady's Ring & Box	194.86
PO#14052	10 - Lady's Rings, 1 - Man's Ring & Boxes	1,018.96
PO#14052	Customer owned rings returned for Diamond Addition	1,509.60
184800	Women's Gold Ring	499.50
186318	3-10K civic Rings & 4-10K Lady's Rings & 7 Boxes	1,488.62
186318	1-10K Lady's Ring, 4-10K Mans Rings, 5 Boxes	949.69
186318	28-GF Civic Pinettes & Boxes	678.06
186318	1-5pt "C" Diamond, 1-5pt "C" Diamond W/Collet	224.78
186318	15pt "C" Diamond	104.34
	Total Actual Expended to Date	20,540.69
	ADD: Commitments	
Various	Civic Jewellery	501.25
	Adjusted Total	21,041.94
	Less: Appropriation	15,000.00
	SURPLUS (DEFICIT)	(6,041.94)

City of Hamilton
USE OF CITY HALL-OUTSIDE GROUPS
Account CH 55222 10034
for the period ended November 30, 1992

REFERENCE NUMBER	DATE	DESCRIPTION	AMOUNT $
162713	92/01/24	Heaven Piano Co. - Tuning & Lubricate Pedal	589.41
JV01055	92/01/25	Ukranian Function	489.84
JV01080	92/01/19	Associazione Musicale	295.28
JV02040	92/02/14	Mundialization Interfaith	327.91
JV02041	92/02/14	Ukranian Independence Day	69.67
JV03079	92/03/07	Congress of Black Women	209.01
JV04129	92/04/12	Humanitarian Awareness	195.07
JV04129	92/04/11	Aides Network	623.54
JV05009	92/04/25	High School Oratorial Contest	250.81
JV05009	92/04/25	Croatian Peace Rally	62.70
JV05009	92/04/26	Great Ride to Beat Cancer	195.07
170590	92/04/28	P. A. Sound System - Day of Mourning Dedication	205.35
JV05155	92/05/02	Polish Proclamation	83.60
JV06023	92/05/19	Ukrainian Canadian Congress	111.47
JV06033	92/05/30	Boy Scout Parade & Croation Union	773.01
JV06122	92/06/06	Luso - Canadian Cultural Council	304.23
JV07139	92/06/13	Shrine Parade	600.00
176048	92/06/21	P. A. Sound System - Racalmutese Parade	205.35
JV08161	92/07/21	Install Boris Brott Music Festival Sign	71.00
JV09098	92/08/22	Overtime - Property and Maintenance	94.05
JV10026	92/10/08	Overtime - Property and Maintenance	489.32
JV10043	92/10/08	Paint/Repair McMaster Drama Festival Sign	282.00
JV10043	92/10/08	Install reviewing stand for Labour Day Parade	291.00
JV10107	92/10/19	Boy Scouts Apple Day	104.50
182800	92/10/14	Sound System Rental	333.00
182112	92/10/02	Piano Rental - Raise Flag for Canada	50.00
182881	92/10/15	Heaven Piano - Rental	86.58
JV11061	92/11/02	Proclamation	62.70
JV11346	92/11/27	Erect United Way Sign (Thermometer)	69.00
		Total Actual Expended to Date	7,524.47
		LESS: Appropriation	3,910.00
		SURPLUS (DEFICIT)	(3,614.47)

CITY OF HAMILTON

- RECOMMENDATION -

D.

DATE: 1992 December 4

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mark Mascarenhas,
General Manager,
Housing Department

SUBJECT: **Closure of Hamilton Housing Company Capital Projects**

RECOMMENDATION:

That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
a) 319041005	Ada Pritchard Apts. Heating & Elect.System Repairs	$165,000.00	$ 126,440.11	$ 38,559.89	RCP

RCP - Reserve for Capital Projects

M. Mascarenhas

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

Ada Pritchard Apartment - Heating & Electrical System Repairs

The savings realized with this project were a direct result of the contractor coming in with a much lower bid than the consultants' budgeted expenditure.

JS/ph

c.c. A. C. Ross, Treasurer
Treasury Department
Attention: N. R. Adhya

CITY OF HAMILTON

- RECOMMENDATION -

DEC 17 1992

E

(i)

DATE: 1992 December 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton (C-004-093)

RECOMMENDATION:

That the attached listing of Appointments To and Terminations From Permanent positions with the Corporation to December 16, 1992 be approved.

J. Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The new position identified on the appointments list have been provided for in the budgets of the respective department.

BACKGROUND:

Attached.

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. John Bridle	Firefighter I	Fire	Retired	30 years, 7 months	28/11/92
Mr. Don DiMascio	Traffic Service Foreman	Traffic	Terminated	27 years, 8 months	11/11/92
Mr. Murchie Hanson	Captain	Fire	Retired	30 years, 2 months	30/11/92
Mr. William Kolapak	Gardener I	Public Works	Terminated	5 months	25/11/92
Mr. Larry Nettleton	Educational Officer	Culture & Recreation	Resigned	2 years, 5 months	13/11/92
Mr. Gerald Sabados	Firefighter I	Fire	Deceased	27 years, 5 months	08/11/92
Ms. Robin Shaw	Assistant Purcr/Recr	H.E.C.F.I.	Terminated	5 years	20/11/92
Mr. Steve Themeles	Caretaker	Property	Deceased	15 years, 7 months	20/11/92
Mr. Frank Wilson	Head Porter	H.E.C.F.I.	Terminated	5 years, 10 months	20/11/92
Mr. Donald Wishart	Platoon Chief	Fire	Retired	25 years, 7 months	28/11/92

Prepared 16/12/92

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. James Allen	Facility Supervisor (11-C)	Culture & Recreation	Replacing Mr. L. Cowles - terminated on L.T.D.	$39,278.72 to $47,010.08	07/12/92
Ms. Philicia D'Ariano	School Crossing Clerk (7)	Traffic	New Position Council Approved - January 14, 1992	$25,494.56 to $27,711.32	16/11/92
Mr. Glen Peace	Assistant Deputy Chief (14-A)	Fire	Replacing Mr. N. McFadyen - retired	$78,951.43	08/11/92
Mr. John Whitwell	Accounting Clerk (11)	Copps Coliseum	Replacing Ms. A. Wright - resigned	$31,563.48 to $37,117.60	14/12/92

Prepared 16/12/92

E (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1992 December 11 DEC 17 1992

REPORT TO: Ms. S. K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local Union 67 (C-001-093)

RECOMMENDATION:

That the contract settlement of the Mechanical Contractors Association of Hamilton and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, Local Union 67, be received pursuant to the Fair Wage Policy of the City of Hamilton.

John Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached

The Mechanical Contractors Association of Hamilton and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, Local Union 67

Duration of Agreement - May 14, 1992 to April 30, 1995

	May 14, 1992	July 5, 1992	May 1, 1993	May 1, 1994
Basic Rate	$25.55	$25.32	$26.26	$27.56
VP & SHP	2.56	2.53	2.63	2.76
Welfare	1.05	1.30	1.40	1.50
Pension	3.00	3.00	3.00	3.00
Training	0.09	0.09	.09	.09
S.U.B.	0.20	0.20	.20	.20
Article 23	0.02	0.02	.02	.02
Article 30	0.03	0.03	.03	.03
O.P.T.P.F.	0.05	0.05	.15	.15
Union Field Dues	0.37	0.38	.39	.41
TOTAL	$32.92	$32.92	$34.17	$35.72
ASSOCIATION FUND	0.36	0.36	0.36	0.36
TOTAL PACKAGE	$33.28	$33.28	$34.53	$36.08

Foremen - Plus 10%

Work Week - 36 hours

Notes: Union Field Dues 1.5% of basic wage rate, for each hours pay earned.

APPRENTICESHIP RATES

	Journey-man	Bnfts Pkge	1st	2nd	3rd	4th	5th
Base Rate	$25.32		$10.13	$12.66	$15.19	$17.72	$20.26
WP & SHP	2.53		1.01	1.27	1.52	1.77	2.03
Welfare	1.30	$1.30	1.30	1.30	1.30	1.30	1.30
Pension	3.00	3.00	3.00	3.00	3.00	3.00	3.00
Training	0.09	0.09	0.09	0.09	0.09	0.09	0.09
Bill 162	0.03	0.03	0.03	0.03	0.03	0.03	0.03
SUB	0.20	0.20	0.20	0.20	0.20	0.20	0.20
Article 23	0.02	0.02	0.02	0.02	0.02	0.02	0.02
OPPT	0.05	0.05	0.05	0.05	0.05	0.05	0.05
Union Dues	0.38	0.38	0.38	0.38	0.38	0.38	0.38
TOTAL	$32.92	$5.07	$16.21	$19.00	$21.78	$24.57	$27.35
Assoc. Fund	0.36	0.36	0.36	0.36	0.36	0.36	0.36
TOTAL	$33.28	$5.43	$16.57	$19.36	$22.14	$24.93	$27.71

E.
(111)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1992 December 11

DEC 1 7 1992

REPORT TO: Ms. S. K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Ontario Sheet Metal and Air Handling Group and Sheet Metal Workers, Local Union 537 (C-002-093)

RECOMMENDATION:

That the contract settlement of the Ontario Sheet Metal and Air Handling Group and Sheet Metal Workers International Association, Local Union 537, be received pursuant to the Fair Wage Policy of the City of Hamilton.

John Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached

Ontario Sheet Metal and Air Handling Group and Sheet Metal Workers International Association, Local Union 537

Duration of Agreement: May 7, 1992 - April 30, 1995

APPENDIX "A" Area 3 Hamilton-Brantford Section
SHEETING & DECKING Local Union No. 537

WAGE RATES

Classification	Effective Date	Hourly Rate	Total Vac Pay	Employer Contr.	Total Package
Sheeter/Decker	May 7/92	$25.11	10%	$4.14	$31.76
	May 1/93	$26.25	10%	$4.14	$33.01
	May 1/94	$28.00	10%	$4.14	$34.94
Sheeter/Decker Assistant	May 7/92	$23.31	10%	$4.14	$29.78
	May 1/93	$24.37	10%	$4.14	$30.95
	May 1/94	$26.02	10%	$4.14	$32.76
Material Handler	May 7/92	$20.63	10%	$4.14	$26.83
	May 1/93	$21.58	10%	$4.14	$27.88
	May 1/94	$23.05	10%	$4.14	$29.50
Probationary Employee	May 7/92	$11.95	10%	$3.14	$16.29
	May 1/93	$12.53	10%	$3.14	$16.92
	May 1/94	$13.41	10%	$3.14	$17.89

Foreman Premium- May 7/92 $1.50

SHIFT WORK PREMIUM

Journeyman: $3.04 per hour
Other Classifications: at appropriate percentages

IRREGULAR HOURS PREMIUM

Journeyman: $2.70 per hour
Other Classifications: at appropriate percentages

TRAVEL PER KM:

May 7/92 $0.35
May 1/93 $0.36
May 1/94 $0.37

APPRENTICES-	Effective Date	Hourly Rate	Total Vac Pay	Employer Contr.	Total Package
Journeyman	May 7/92	$25.11	10%	$4.14	$31.76
	May 1/93	$26.25	10%	$4.14	$33.01
	May 1/94	$28.00	10%	$4.14	$34.94
1st year	May 7/92	$ 9.53	10%	$2.39	$12.87
	May 1/93	$ 9.98	10%	$2.39	$13.37
	May 1/94	$10.68	10%	$2.39	$14.14
2nd year	May 7/92	$12.42	10%	$2.39	$16.05
	May 1/93	$12.99	10%	$2.39	$16.68
	May 1/94	$13.86	10%	$2.39	$17.64
3rd year	May 7/92	$15.30	10%	$2.39	$19.22
	May 1/93	$15.99	10%	$2.39	$19.98
	May 1/94	$17.04	10%	$2.39	$21.13
4th year	May 7/92	$18.19	10%	$2.39	$22.40
	May 1/93	$18.99	10%	$2.39	$23.28
	May 1/94	$20.22	10%	$2.39	$24.63
5th year	May 7/92	$21.08	10%	$2.39	$25.58
	May 1/93	$21.99	10%	$2.39	$26.58
	May 1/94	$23.39	10%	$2.39	$28.12

E. (iv)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1992 December 11

REPORT TO: Ms. S. K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: United Brotherhood of Carpenters and Joiners of America, Local 18 (C-003-093)

RECOMMENDATION:

That the contract settlement between the Carpenters Employer Bargaining Agency and The Ontario Provincial Council, United Brotherhood of Carpenters and Joiners of America, Local 18, be received pursuant to the Fair Wage Policy of the City of Hamilton.

John Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached

Contract Settlement between The Carpenters Employer Bargaining Agency and
The Ontario Provincial Council, United Brotherhood of Carpenters and Joiners of America
(Local 18, Hamilton)

Duration of Agreement - August 1, 1992 to April 30, 1995

The wages and related payments for regularly scheduled daytime hours for Journeymen Carpenters are as follows:

Effective Date	Hourly Rate	Vacation Pay 4%	Holiday Pay 6%	Health and Welfare	Pension	S.U.B.	Total
Aug.1/92	$25.76	$2.58		$2.75			$31.09
May 1/93	$26.04	$2.60		$3.05			$31.69
May 1/94	$26.40	$2.64		$3.35			$32.39
Nov.1/94	$27.17	$2.72		$3.35			$33.24

Employer Contributions
Association Administration Fund - $0.10
Training & Upgrading - $0.05 Employee, $0.05 Employer

Employee Deductions
Union Administration Fund - $0.15
Carpenters Dues Trust Fund - $0.50
Training & Upgrading Fund - $0.05

Foreman Differential
Aug.1/92 - $2.00
May 1/94 - $2.25

Lead Hand
Aug.1/92 - $1.00
May 1/94 - $1.25

APPRENTICES

	Aug.1/92	May 1/93	May 1/94	Nov.1/94
1st six months - 40% of journeyman rate	$10.30	$10.42	$10.56	$10.87
2nd six months - 50% of journeyman rate	12.88	13.02	13.20	13.59
2nd year - 65% of journeyman rate	16.74	16.93	17.16	17.66
3rd year - 75% of journeyman rate	19.32	19.53	19.80	20.38
4th year - 85% of journeyman rate	21.90	22.13	22.44	23.09

Travel Expenses
Kilometers - Aug.1/92 - $0.29 May 1/93 - $0.30

Contract Settlement between The Carpenters Employer Bargaining Agency and
The Ontario Provincial Council, United Brotherhood of Carpenters and Joiners of America
(Local 18, Hamilton)

Duration of Agreement - August 1, 1992 to April 30, 1995

The wages and related payments for regularly scheduled daytime hours for Drywall Workers is as follows:

Effective Date	Hourly Rate	Vacation Pay 4%	Holiday Pay 6%	Health and Welfare	Pension	S.U.B.	Total
Aug.1/92	$25.76	$2.58		$2.75			$31.09
May 1/93	$26.04	$2.60		$3.05			$31.69
May 1/94	$26.40	$2.64		$3.35			$32.39
Nov.1/94	$27.17	$2.72		$3.35			$33.24

Employer Contributions
Association Administration Fund - $0.05
Training & Upgrading - $0.05 Employee, $0.05 Employer

Employee Deductions
Union Administration Fund - $0.15
Carpenters Dues Trust Fund - $0.50
Training & Ugrading Fund - $0.05

Foreman Differential
Aug.1/92 - $2.00
May 1/94 - $2.25

Lead Hand
Aug.1/92 - $1.00
May 1/94 - $1.25

APPRENTICES

	Aug.1/920	May 1/93	May 1/94	Nov.1/94
1st 750 hrs - 40% of journeyman rate	$10.30	$10.42	$10.56	$10.87
2nd 750 hrs - 50% of journeyman rate	12.88	13.02	13.20	13.59
3rd 750 hrs - 60% of journeyman rate	15.46	15.62	15.84	16.30
4th 750 hrs - 70% of journeyman rate	18.03	18.23	18.48	19.02
5th 750 hrs - 80% of journeyman rate	20.61	20.83	21.12	21.74
6th 750 hrs - 90% of journeyman rate	23.18	23.44	23.76	24.45

Travel Expenses
Kilometers - Aug.1/92 - $0.29 May 1/93 - $0.30

Contract Settlement between The Carpenters Employer Bargaining Agency and The Ontario Provincial Council, United Brotherhood of Carpenters and Joiners of America (Local 18, Hamilton)

Duration of Agreement - August 1, 1992 to April 30, 1995

The wages and related payments for regularly scheduled daytime hours for Resilient Floor and Carpe Layers are as follows:

Effective Date	Hourly Rate	Vacation Pay 4%	Holiday Pay 6%	Health and Welfare	Pension	S.U.B.	Total
Aug.1/92	$23.79	$2.38		$2.75			$28.92
May 1/93	$24.06	$2.41		$3.05			$29.52
May 1/94	$24.43	$2.44		$3.35			$30.22
Nov.1/94	$25.20	$2.52		$3.35			$31.07

The wages and related payments for regularly scheduled daytime hours for Hardwood Floor Layer are as follows:

Effective Date	Hourly Rate	Vacation Pay 4%	Holiday Pay 6%	Health and Welfare	Pension	S.U.B.	Total
Aug.1/92	$25.76	$2.58		$2.75			$31.09
May 1/93	$26.04	$2.60		$3.05			$31.69
May 1/94	$26.40	$2.64		$3.35			$32.39
Nov.1/94	$27.17	$2.72		$3.35			$33.24

Employer Contributions
Association Administration Fund - $0.05
Training & Upgrading - $0.05 Employee, $0.05 Employer

Employee Deductions
Union Administration Fund - $0.15
Carpenters Dues Trust Fund - $0.50
Training & Upgrading Fund - $0.05

Foreman Differential
Aug.1/92 - $2.00
May 1/94 - $2.25

Lead Hand
Aug.1/92 - $1.00
May 1/94 - $1.25

APPRENTICES

	Aug.1/92	May 1/93	May 1/94	Nov.1/94
1st six months - 40% of journeyman rate	$10.30	$10.42	$10.56	$10.87
2nd six months - 50% of journeyman rate	12.88	13.02	13.20	13.59
2nd year - 65% of journeyman rate	16.74	16.93	17.16	17.66
3rd year - 75% of journeyman rate	19.32	19.53	19.80	20.38
4th year - 85% of journeyman rate	21.90	22.13	22.44	23.09

Travel Expenses

Kilometers - Aug.1/92 - $0.29 May 1/93 - $0.30

E. (v)

CITY OF HAMILTON

- RECOMMENDATION -

DEC 17 1992

DATE: 1992 December 11

REPORT TO: Ms S. K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. Johnston
Commissioner, Human Resources

SUBJECT: Manager, Internal Controls - Taxation Data Base Project
(C-005-093)

RECOMMENDATION:

- That the Manager of Internal Controls be authorized to continue his participation in the Taxation Data Base Project until the project has been successfully implemented.

- That the incumbent's existing salary, Level "G" of the non-union salary schedule, which was approved by City Council on December 11, 1990 be continued for the term of the Project.

J. Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There is no anticipated financial impact resulting from this extension.

BACKGROUND:

On May 29, 1990 City Council approved the creation of a Project Team for the replacement of the property/Taxation System. The undertaking of this venture was to be shared jointly by Information Systems and City Treasury.

...2

Outlined below is Section 1 of the THIRD Report of the Information Systems Committee (1990):

1.(a) That the City of Hamilton Treasury Department and Information Systems proceed on a joint Project to develop and implement a replacement Property/Taxation System.

(b) That the design review of the replacement property and taxation system include (but not be limited to) the following new features:

i. optional monthly, quarterly or annual tax payment;

ii. optional direct payment from bank accounts;

iii. improved access to statistical information;

iv. improvements to the information that might be made available to taxpayers;

v. additional automation opportunities to reduce processing costs.

It was expected that the participation of the Manager of Internal Controls would not be required beyond Decmeber 31, 1992. However, it now appears this was an unrealistic goal and his involvement is, in fact, necessary beyond that date.

3.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1992 December 16

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: **Selection Procedures for Committees/Boards/Commissions**

RECOMMENDATION:

That the following be added as Sub-section (p) of Section 26 of the EIGHTEENTH Report for 1992 of the Finance and Administration Committee, respecting Selection Procedures for Committees/Boards/Commissions which was approved by City Council on 1992 September 29th:

"(p) That in recognition of other levels of governmental control over a number of Boards/Committees/Commissions, to which the City makes Appointments, the Selection Procedures respecting Terms of Office and meeting structure not apply to the following:

(i) H.E.C.F.I.
(ii) Committee of Adjustment
(iii) Hamilton Hydro Electric Commission
(iv) Hamilton Civic Hospitals Board of Directors
(v) Hamilton Harbour Commission
(vi) Hamilton Region Conservation Authority
(vii) Ontario Hydro
(viii) Parking Authority
(ix) Public Library Board
(x) Land Division Committee

J. J. Schatz, City Clerk

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

A number of concerns have been raised by the Hamilton Civic Hospitals Board of Directors, H.E.C.F.I. and other Boards respecting the City's policy on procedures for Committees, Boards/Commissions.

Many of the Boards to which the City appoints members are in fact mandated by other levels of government. In these instances, procedures such as Terms of Office, release of meeting notices to the media and alternative meeting locations are under the direction of other jurisdictions.

Therefore, in order to reflect these situations, the above-noted recommendation is herein presented for consideration.

SKR/dbm

c.c.- Charlene Coutts, Legislative Assistant
City Clerk's Department

TOWN OF NEWMARKET

Office of the Town Clerk

OFFICE OF THE CITY CLERK

DEC 0 1 1992

REC. BY ..... DATE .....
REF'D. TO ..... DATE .....
REF'D. TO ..... DATE .....
REF'D. TO ..... DATE .....

November 25, 1992

4a.

TO: All Municipalities in Ontario

RE: Provincial Municipal Relations

I am writing to advise that Newmarket Council, at its meeting held November 16th, 1992, enacted the following resolution:

WHEREAS the Provincial Government has undertaken initiatives in matters such as the imposition of a landfill site in York Region to serve another municipality, municipal conflict of interest, open local government, apartments in houses and disentanglement which are matters for which local municipal councils are responsible or in which local municipal councils have a considerable interest;

AND WHEREAS these initiatives collectively and individually are evidence that the Provincial Government does not have confidence in local municipal government;

AND WHEREAS local municipal government is better able to be aware of the needs and interests of taxpayers;

AND WHEREAS local municipal councils are more directly accountable to their electorate as a consequence of mandatory municipal elections held every three years;

AND WHEREAS taxpayers look to their local municipal councils for assistance and believe they are accountable for the kinds of matters hereinbefore set out;

AND WHEREAS the Provincial Government cannot be responsible and has shown little interest in hearing or considering the local municipal council message;

465 Davis Drive, Box 328,
Newmarket, Ontario
L3Y 4X7
Tel. 416-895-5193

Fax. 416-853-3459

AND WHEREAS local councils believe the apparent loss of confidence by the Provincial Government in the ability or willingness of local government to respond responsibly to these kinds of matters is not justified;

BE IT THEREFORE RESOLVED by the Municipal Council of the Corporation of the Town of Newmarket;

THAT the Provincial Government be asked to refrain from implementing any initiatives impacting upon matters of local municipal concern such as land use planning, municipal conflict of interest, disentanglement, amendments to the Municipal Act, and the provision of landfill sites in municipalities to serve other municipalities until there has been meaningful and constructive consultation with local municipalities and that the Provincial Government be advised that local councils do not consider provincial initiatives in these areas to be in the public interest and further that they interfere inappropriately in the traditional mandate and areas of responsibility of local government;

AND THAT this resolution be circulated to all municipalities in the Province of Ontario with a request for endorsation which, if approved, be forwarded to the Premier of Ontario, the Minister of Municipal Affairs, the Minister of Housing and the local area Member of Provincial Parliament.

If your Council endorses this resolution, I request that you advise the Premier of Ontario, Minister of Municipal Affairs and Minister of Housing and your local M.P.P. I have provided a mailing list for your use.

Yours very truly,

Robert M. Prentice,
Town Clerk.

RMP:ph
(File: 8.2.1)

465 Davis Drive, Box 328,
Newmarket, Ontario
L3Y 4X7
Tel. 416-895-5193

Fax. 416-853-3459

TOWN OF NEWMARKET

Office of the Town Clerk

The Honourable Bob Rae
Premier of Ontario
Room 281
Legislative Building
Queen's Park
Toronto, Ontario
M7A 1A8

The Honourable Dave Cooke
Minister of Municipal Affairs
777 Bay Street
Toronto, Ontario
M5G 2E5

The Honourable Evelyn Gigantes
Minister of Housing
10th Floor
777 Bay Street
Toronto, Ontario
M5G 2E5

465 Davis Drive, Box 328,
Newmarket, Ontario
L3Y 4X7
Tel. 416-895-5193

Fax. 416-853-3459

Telephone
(613) 384-1770
Fax (613) 384-7106

RECEIVED
DEC 15 1992
CITY CLERKS

P.O. Bag 3400
1425 Midland Ave.
Kingston, Ontario
K7L 5L8

The Corporation of the Township of Kingston

Incorporated 1850

4b.

From the Office of:
the Clerk

December 7th, 1992

All Municipalities in Ontario
with a Population over 5,000

Dear Sir/Madam:

RE: DISENTANGLEMENT

This will advise that Kingston Township Council passed the following resolution December 1st, 1992:

"THAT WHEREAS it is recognized that municipal government is the closest and the most accessible level of government with the trust and confidence of its residents; and

WHEREAS through this trust the resident looks to its local government to represent them and provide the normal services they require in a planned, responsible and efficient manner that places people first; and

WHEREAS municipal government is in the position to provide such services at the lowest cost; and

WHEREAS it is in the best interest of the Province, and its residents, to maintain a strong local government; and

WHEREAS the Province and the Association of Municipalities of Ontario have held discussions and consultations on DISENTANGLEMENT, which will determine which level of government does what, who pays for what, and who is accountable for what and which may result in the Province paying 100% of some services and the municipalities paying 100% for others.

NOW THEREFORE BE IT RESOLVED that the Corporation of the Township of Kingston, by its Council, petitions the Minister of Municipal Affairs to ensure that the process of DISENTANGLEMENT -

(1) Must, in every case, result in the strengthening of local government; and

.../2

(2) Must enshrine the principle that it is not acceptable to remove municipal government from any program where they are now wholly or in part a provider of services to the residents;

AND FURTHER that copies of this resolution be sent to all municipalities in the Province of Ontario with populations of 5,000 or over as well as to the Premier of Ontario, all area M.P.P.'s and the Association of Municipalities of Ontario.

This resolution is circulated to you for your consideration and appropriate action.

If you agree with it, please advise the Honourable Bob Rae, your local M.P.P. and Association of Municipalities of Ontario and provide a copy to this office.

Yours truly,

D.A. Gordon, A.M.C.T., C.M.C.
Clerk
Township of Kingston.

DAG/cjc

c.c. The Honourable Bob Rae
Fred Wilson, M.P.P.
Gary Wilson, M.P.P.
The Association of Municipalities of Ontario

5a.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1992 December 15

REPORT TO: S. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Emergency Voice Evacuation System

RECOMMENDATION:

That approval be given to retain the services of Hamilton Video & Sound to install an emergency voice evacuation system in City Hall at a cost of $24,897.46.

D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funding for the installation cost of $24,897.46 is available from the City Hall Security account.

BACKGROUND:

The Manager of Purchasing received three quotations in response to a request for proposals; Hamilton Video & Sound Ltd. from Hamilton $24,897.46, J. L. Sound Systems from Hamilton $38,266.25, and Aatel Communications Inc. from Stoney Creek. The quotation received from Aatel Communications Inc. was unacceptable to the Manager of Purchasing.

Currently, the only means of communication with the occupants of City Hall in an emergency situation is by activating the fire alarm system. In the past, there has been emergency situations where there was a need to verbally communicate with staff and public. This public address system will provide an alternative or be complimentary to activating the fire alarm system.

A sound system that will effectively inform and direct people in a safe, efficient manner and create less confusion is needed for emergency and security situations that occur periodically. The emergency voice/audible/visual/tone evacuations system will consist of speaker horns placed throughout the building, and (where noise is a factor), beacon lights, to alert the occupants, first with a tone to get their attention and then a pre-recorded or live voice message informing them

of the specific problem and or emergency.

The Fire Department, Health and Safety Committee and Fire Wardens all endorse this proposal and agree that the safety and security of City Hall will be greatly increased.

RD/la

cc: Joe Pavelka, Chief Administrative Officer
George Baker, Fire Chief, Fire Dept.
Les Fenyvesi, Safety Officer, Human Resources
A.C. Ross, Treasurer
R. Swan, Manager Building Operations & Maintenance
Attention: R. Desnoyers, Assistant Manager
R. Camani, Chairman of Employee Health & Safety Committee

CITY OF HAMILTON

- RECOMMENDATION -

5b.

DATE: 16 December 1992

REPORT TO: S. Reeder, Secretary
Finance and Administration Committee

DEC 17 1992

FROM: D. W. Vyce
Director of Property

SUBJECT: **Offer to Purchase rear land at**
759 Stone Church Road East
Highridge Developments (Hamilton) Ltd.
Part 10, Registered Plan 62R-12308

RECOMMENDATION:

a) That an Offer to Purchase, duly executed by Highridge Developments (Hamilton) Ltd. (Bruno Comegna, Treasurer and Bill Robinson, Secretary) on October 8, 1992, and scheduled for closing thirty (30) days after the enactment of a City rezoning by-law, and the successful completion of a land severance application in accordance with the Planning Act, but not later than October 1, 1994, for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 8, Concession 7, in the Geographic Township of Barton, in the City of Hamilton, being irregular in shape, having a length of 54.693 metres (179.438 feet) more or less, by a maximum width of 29.914 metres (98.143 feet) more or less, comprising a total area of 0.14 hectares (0.346 acres) more or less, and shown as Part 1 on Registered Plan 62R-12308, be approved and completed and the funds derived from this sale of $60,000.00 be credited to the following accounts: $40,328.95 plus interest calculated at the prime rate, plus any costs associated with the closing of this transaction be credited to Account Number LB 5X999 00420 (Special Gift Fund); the remainder of the revenue $19,671.05, less the aforementioned interest and costs, be credited to Account Number CH 4X501 00102 (Sale of Lands - Reserve for Property Purchases).

b) That a certified deposit cheque in the amount of $3,000.00 be held by the City Treasurer pending Council approval.

c) That this Agreement be conditional upon the Purchaser agreeing to make the necessary applications for rezoning and severance within six (6) months time of acceptance of this Offer by the City.

d) That it be understood and agreed that upon acceptance of this Offer, the Purchaser acting as the City's agent, is authorized to apply for the necessary zoning change and land severance application.

e) That it be a condition of this Agreement that the Purchaser acknowledge that the City may develop for municipal purposes its lands adjacent to the subject lands. The Purchaser covenants and agrees, for itself, its heirs, assigns, and successors not to object in any way to the said development. The Purchaser agrees that it is hereby estopped from exercising any rights which may ordinarily accrue to it regarding the development proposed by the City by virtue of, and as part consideration of the purchase by it of the subject lands. Further, the Purchaser agrees to require the same covenant of non-objection it makes herein from its assigns, and in particular the eventual residential purchasers who would expect to occupy homes on the four (4) lots it is expected will be created by severance and built upon.

f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

On March 31, 1992, City Council approved Item 19 of the 8th Report of the Finance and Administration Committee, thereby approving the purchase of 759 Stone Church Road East for the purposes of constructing a south/east Mountain Library Branch.

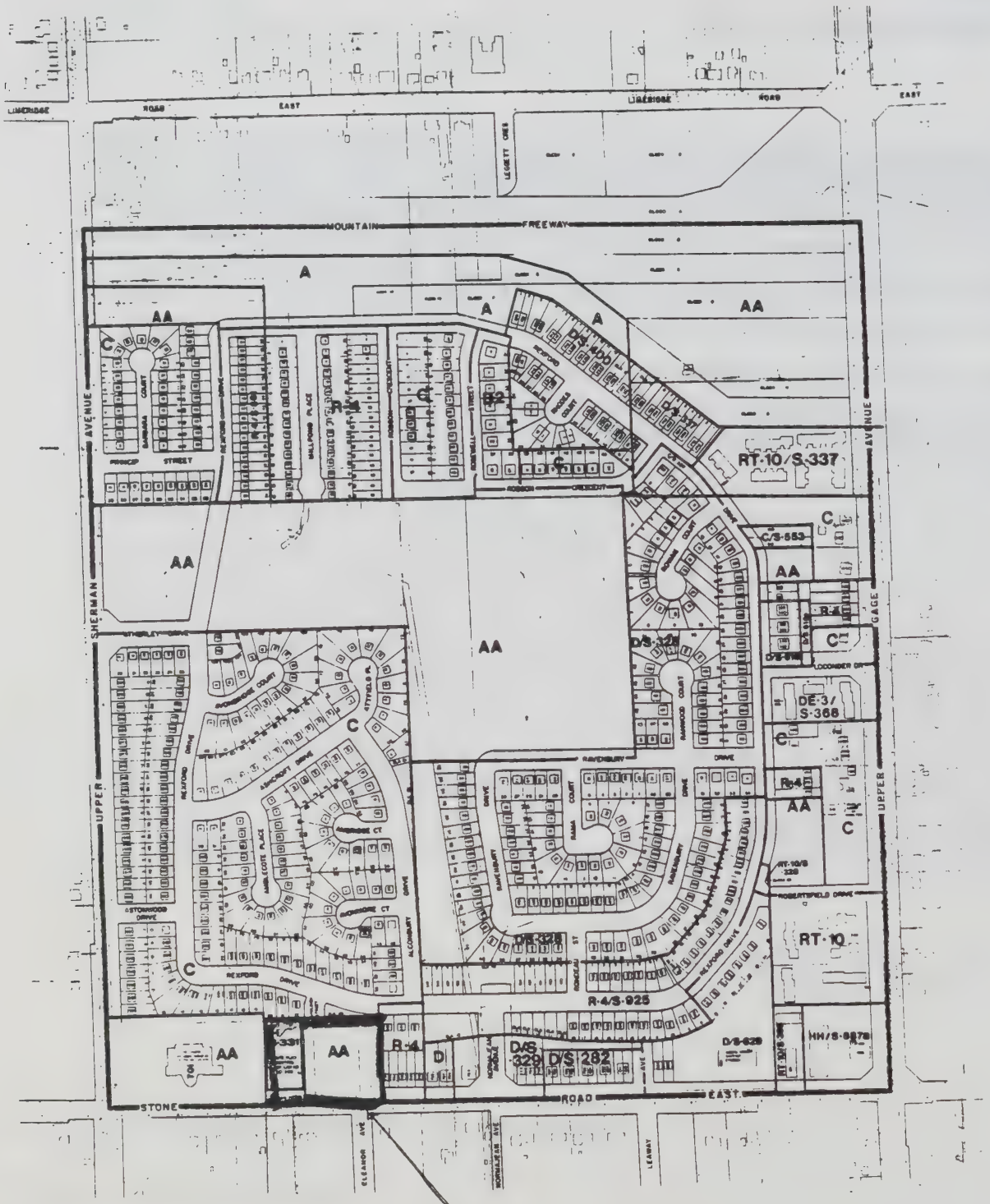
Financing in the amount of $509,671.05 was allocated to the purchase from the long range Capital Budget based upon the ten (10) year forecast of needs and requirements. Additional funds in the amount of $40,328.95 were provided from the Hamilton Library Board's Special Gift Fund on the condition that this revenue be returned with interest, calculated at the prime rate, together with any other costs incurred upon closing of this transaction.

Consequently, it is our recommendation that these lands be sold to Highridge Developments (Hamilton) Ltd. and the revenues associated with this sale of $60,000.00 be apportioned as set out herein, as previously approved by City Council and agreed to by the Hamilton Library Board.

WmM/nw

c.c. P. Noé Johnson, City Solicitor
A. Ross, Treasurer
L. MacNeil, Property Clerk, Surveys
J. McAnanama, Chief Executive Officer, Hamilton Public Library
V.J. Abraham, M.C.I.P., Director of Local Planning Division
Attention: G. Whitehouse
D. Amy, Land Division Committee, Planning and Development Department

(91C-225)



130	96	11
118	112	110
19	43	129

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

CITY OF HAMILTON

RANDALL

ZONING

Neighbourhood Boundary

Zoning Boundary

SCALE 50m 100m

NORTH

6.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1992 December 15

DEC 1 · 1992

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: Tina Agnello, Secretary
Municipal Non-Profit (Hamilton) Housing Corporation

SUBJECT:

Composition of the Board of Directors of the Municipal Non-Profit (Hamilton) Housing Corporation

RECOMMENDATION:

That the Finance and Adminstration Committee recommend to Council that the composition of the Municipal Non-Profit (Hamilton) Housing Board be changed to add one tenant member to the board.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

At the 1992 November 30 meeting of the Municipal Non-Profit (Hamilton) Housing Board, a resolution was passed to request that the composition of the board be changed to include a tenant member. On 1992 January 31, Council approved Section 2 of the Fourth Report of the Planning and Development Committee to change the composition of the board of directors to 9 council members, preferably one from each ward, the Mayor and 5 citizen members. At present, the members include: 7 Aldermen, the Mayor and 6 citizen members.

cc: Alderman B. Charters, President
Alderman D. Drury
M. Mascarenhas, General Manager, Housing Department

7a.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: December 16, 1992

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: **1993 TREASURY DEPARTMENT USER FEES**

RECOMMENDATION:

a) That the 1993 User Fees for the Treasury Department as outlined on the attached Schedule F & A - Treasury (column 3), for Existing and New Fees be approved.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1993 departmental user fee revenues would increase by a total amount of $65,160, or 11.4% over the 1992 budget level due to the rate increases. This amount is broken down to reflect an estimated increase on the 1993 User Fee revenues in the amount of $44,660 for proposed increases in the existing fees and the balance of $20,500 for the proposed new user fees.

BACKGROUND:

The direction of the Committee of the Whole meeting December 15, 1992, in considering the 1993 Consolidated User Fees, was to have the appropriate Standing Committee review the details of the proposed 1993 User Fees. These fees when approved by the standing committee would then be forwarded to the Committee of the Whole for presentation as the 1993 Consolidated User Fees. This recommendation has been standardized for all departmental submissions to the Standing Committees. The following provides an overview of the proposed User Fee increases.

For the existing fees, with the exception of Tax Certificates, the proposed rate increases reflect a 2% inflationary factor which is then rounded to the next dollar. The rounding results in the higher percentage increases. This adjustment is consistent with the Council direction approved November 27, 1990 concerning these fees. The proposed Tax Certificate rate of $20.00 is consistent with the rate which is being charged by surrounding Municipalities. For example, the City of Burlington charges $20.00, City of Mississauga - $20.00, North York - $25.00, London - $18.00, Ancaster - $20.00, Stoney Creek - $16.00.

For the proposed new fees, issues were identified within the Treasury Department that are administrative procedures responding to specific needs. All of the proposed fees address information retrieval and procedures. As an entry level for these fees relating to tax concerns, the recommendation is to charge a consistent $10.00 rate for each of the requests. Within the Purchasing division of Treasury, the processing fee for tendering documents is a non-refundable fee for proposals over $50,000 in the amount of $25.00. This recognizes the administrative costs of considering these sizable proposals.

DKB/dkb

Att'd

C.C. J. Pavelka, Chief Administrative Officer

SCHEDULE F & A – TREASURY

THE CORPORATION OF THE CITY OF HAMILTON

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE 1992 (2)	USER FEE OR CHARGE 1993 (3)	% INCREASE OVER 1992 (4)	EXPLANATION AND/OR COMMENTS (5)	1992 TOTAL BUDGET (6)	1993 TOTAL BUDGET (7)	$ Increase (8)	Increase Due to Fee Inc. (9)	Account # (10)
TREASURY DEPARTMENT									
1993 FEES FOR APPROVAL :									
SUNDRY REVENUE									
Subdivision Compliance Letter	22.00	23.00	5%	Council 11/27/90. " that these fees be increased annually	$55,000	$58,550	$3,550	$2,550	CH48006–25320
Local Improvement Enquiries	22.00	23.00	5%	annually for the rate of inflation rounded to the next dollar,		included above			
N.S.F. Cheques	15.00	16.00	7%	to offset the City's administrative and processing costs in handling these items".	$12,000	$13,870	$1,870	$870	CH47105–25320
TAXATION									
Tax Certificates	16.00	20.00	25%	Comparable with other municipalities.	$176,000	$200,000	$24,000	$40,000	CH45008–25335
Recoveries – Tax Registrations	575.00	585.00	2%		$43,130	$52,650	$9,520	$1,200	CH48003–25335
Prior Year's Tax Analysis	25.00	26.00	4%	Council 10/29/91. "Be increased annually for the rate of inflation rounded to the next dollar".	$3,880	$920	($2,960)	$40	CH45010–25335
								$44,660	
1993 NEW FEES FOR APPROVAL:									CHXXXX–25335
Multiple Assessment Listing	–	10.00	100%	New fee proposed.	–	–	–	$5,000	
Income Tax Letter	–	10.00	100%	New fee proposed.	–				
Paid–In–Full Letter	–	10.00	100%	New fee proposed.	–	–	–	$5,000	
Hydro Add–On to Tax Roll – administration fee	–	10.00	100%	New fee proposed.					
PURCHASING DIVISION								$10,500	
Tender and Proposal Processing Fee – non–refundable charge for issuance of tenders/proposals over $50,000	–	25.00	100%	New fee proposed.				$20,500	

7 b.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1992 December 18

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: **1993 Departmental User Fees**

RECOMMENDATION:

That the 1993 User Fees for the Clerk's Department as outlined on the attached Schedule F & A - Clerks (column 3), New Fees be approved.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1993 Departmental User Fee revenues would increase by a total amount of $15,360. if the rate increases are approved. This amount reflects an estimated increase on the 1993 User Fee revenues in the amount of $15,360. for the proposed new User Fees.

BACKGROUND:

The direction of the Committee of the Whole meeting on 1992 December 15, in considering the 1993 Consolidated User Fees, was to have the appropriate Standing Committee review the details of the proposed 1993 User Fees. These fees when approved by the Standing Committee would then be forwarded to the Committee of the Whole for presentation as the 1993 Consolidated User Fees. This recommendation has been standardized for all Departmental submissions to the Standing Committees. The following provides an overview of the proposed User Fee increases.

JJS/dbm
Attachment.
c.c. - J. Pavelka, Chief Administrative Officer
- A. Ross, Treasurer

SCHEDULE F & A – CLERKS

THE CORPORATION OF THE CITY OF HAMILTON

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE 1992 (2)	USER FEE OR CHARGE 1993 (3)	% INCREASE OVER 1992 (4)	EXPLANATION AND/OR COMMENTS (5)	1992 TOTAL BUDGET (6)	1993 TOTAL BUDGET (7)	$ Increase (8)	Increase Due to Fee Inc. (9)	Account # (10)
CLERKS DEPARTMENT									
1993 FEES FOR APPROVAL :									
ADMINISTRATION									
Photocopies – First page	1.00	1.00	0%	No fee increases for 1993.	–	–	–	–	
– Each additional page	0.25	0.25	0%	" "				$0	
1993 NEW FEES FOR APPROVAL:									
ADMINISTRATION									
Subscription Service	Free	Actual Cost	100%	New fee.	}	–	–	–	$15,360 CHXXXX-12004
Use of City Hall by Outside Groups	Free	Actual Cost	100%	"	}				"
Assessment Searches	Free	50.00	100%	"	}				"
Signing of Affidavits	Free	10.00	100%	"	}				"
Letters re: Licence Verification	Free	20.00	100%	"	}	above			"
Fireworks Permits	Free	20.00	100%	"	}				"
Tag Day Permits	Free	20.00	100%	"	}				"
LLBO Municipal Clearance	Free	50.00	100%	"	}				"
Car Dealer Certificate	Free	20.00	100%	"	}				"
Cab Driver Exam Fee	Free	20.00	100%	"	}	above			"
Smoking Control Signs	Various	4.00	100%	New sign size for 1993 approved by City Council.	}			$15,360	

7 C.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: December 16, 1992

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: Chief G. Baker
Hamilton Fire Department

SUBJECT: **1993 FIRE DEPARTMENT USER FEES**

RECOMMENDATION:

The following are recommended for approval:

a) That the 1993 User Fees for the Hamilton Fire Department, as outlined on the attached Schedule F & A - Fire (column 3), for Existing and New Fees be approved;

b) That (for the information of the Committee members) Schedule F & A INFO - Fire, attached reflects those 1993 departmental user fees which do not require Council approval, be received.

_____

G. Baker

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1993 departmental user fee revenues would increase by a total amount of $1,400. or 2.0% over the 1992 budget level due to the proposed rate increases.

BACKGROUND:

The direction of the Committee of the Whole meeting December 15, 1992, in considering the 1993 Consolidated User Fees was to have the appropriate Standing Committee review the details of the proposed 1993 User Fees. These fees when approved by the Standing Committee would then be forwarded to the Committee of the Whole for presentation as the 1993 Consolidated User Fees. This recommendation has been standardized for all departmental submissions to the Standing Committees. The following provides an overview of the proposed User Fee increases for the Hamilton Fire Department.

Fire Inspection Fees as well as Fire Training Complex user fees are proposed to increase by 2% (rounded up to the next even dollar). A combined estimated additional revenue of $1,400. is anticipated.

The revenue estimated to be received from the Ministry of Transportation is based on a fee structure provided by the province. The anticipated increase of $1,000. is based on previous years actual experience.

DKB/dkb

Att'd

c.c. J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer

SCHEDULE F & A – FIRE

THE CORPORATION OF THE CITY OF HAMILTON

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE 1992 (2)	USER FEE OR CHARGE 1993 (3)	% INCREASE OVER 1992 (4)	EXPLANATION AND/OR COMMENTS (5)	1992 TOTAL BUDGET (6)	1993 TOTAL BUDGET (7)	$ Increase (8)	Increase Due to Fee Inc. (9)	Account # (10)
FIRE DEPARTMENT									
1993 FEES FOR APPROVAL :									
Fire Inspection Fees – Copies of Fire Response Reports	16.00	17.00	6%	Two percent increase (rounded).	$55,000	$56,100	$1,100	$1,100	CH44029–48001
– Written confirmation as to whether or not there are any outstanding orders against property	26.00	27.00	4%	" "					
– Inspection of a property in relation to a proposed purchase or for licence purposes other than municipal licences:									
(a) private home day–care facilities	31.50	33.00	5%	" "					
(b) 1 and 2 family dwellings	31.50	33.00	5%	" "					
(c) other occupancies greater than 4 stories above grade, including L.L.B.O. licence requests	63.00	65.00	3%	" "		included above			
(d) other occupancies greater than 4 stories and specialized occupancies ie: malls and industrial complexes will be charged at a rate commensurate with area and/or inspection time involved	100.00 to 500.00	102.00 to 510.00	2%	" "					
			2%	" "					
Fire Training Complex – Based on prior year's costs (plus staff time)	323.30 /day	330.00 /day	2%		$14,700	$15,000	$300	$300	CH44120–48001
								$1,400	

SCHEDULE F & A INFO – FIRE

THE CORPORATION OF THE CITY OF HAMILTON

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE 1992 (2)	USER FEE OR CHARGE 1993 (3)	% INCREASE OVER 1992 (4)	EXPLANATION AND/OR COMMENTS (5)	1992 TOTAL BUDGET (6)	1993 TOTAL BUDGET (7)	$ Increase (8)	Increase Due to Fee Inc. (9)	Account # (10)
FIRE DEPARTMENT									
1993 FEES NOT REQUIRING COUNCIL APPROVAL :					$25,000	$26,000	$1,000	–	CH43106–48001
Fire Services – MTC									
– $300/first hour/apparatus									
– $120 each additional half hour or part thereof									
– $300 flat rate fee where services not required nor provided (Volunteer Fire Services will continue to bill at the hourly rate).								$0	

7 (d.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: December 16, 1992

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Property Department

SUBJECT: **1993 PROPERTY DEPARTMENT USER FEES**

RECOMMENDATION:

a) That the 1993 User Fees for the Property Department as outlined on the attached Schedule F & A - Property Department (1) (column 3), for Existing Fees be approved;

b) That (for the information of the Committee members), Schedule F & A INFO - Property Department (2) and (3) attached which reflects those 1993 departmental user fees which do not require prior Council approval, be received.

D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1993 Property Department user fees revenues within Schedule (1) will increase by a total amount of $3,000 over the 1992 budget level due to volume only.

BACKGROUND:

The direction of the Committee of the Whole meeting December 15, 1992, in considering the 1993 Consolidated User Fees, was to have the appropriate Standing Committee review the details of the proposed 1993 User Fees. These fees when approved by the standing committee would then be forwarded to the Committee of the Whole for presentation as the 1993 Consolidated User Fees. This recommendation has been standardized for all departmental submissions to the Standing Committees. The following provides an overview of the proposed User Fee increases.

The Administration Fees listed on **Schedule F & A - Property (1)** reflect fees charged by our Department to supervise work done on private property by our contractors in connection with the Property Standards By-Law. The By-Law deals with the cleanup, grass and weed cutting of properties in substandard condition.

While the individual administration user fee is not proposed to be increased over the 1992 level, an increase in revenue is expected in 1993, due to volume. The number of complaints has increased which require our attention, together with the staff of the Building Department resulting in increased revenue since our Department is involved in the administration of the By-Law.

The list of Civic Properties (Rented) on **Schedule F & A Info - Property (3)** reflects increases in most residential dwellings of upwards of 6% as permitted under the Landlord and Tenant Act. Council has previously authorized our Department to increase the rents of dwellings accordingly. Therefore, this schedule is provided for information only. The increase in revenue amounts to $11,920 per annum. The lease of space to the Region in various City owned office buildings is reflected on **Schedule F & A Info - Property (2)**. You will note that revenue for 1993 is projected to decrease substantially due to the Region vacating space in some of our buildings. Leases which are not expiring in 1991, i.e. City Hall, are the subject of existing leases and are not eligible for base rent increases until expiry of the existing leases.

KB/dkb

Attch.

c.c. J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
J. Cerio, Manager of Administration, Property Department
M. Watson, Manager, Real Estate Division, Property Department

SCHEDULE F & A – PROPERTY (1)

THE CORPORATION OF THE CITY OF HAMILTON

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE 1992 (2)	USER FEE OR CHARGE 1993 (3)	% INCREASE OVER 1992 (4)	EXPLANATION AND/OR COMMENTS (5)	1992 TOTAL BUDGET (6)	1993 TOTAL BUDGET (7)	$ Increase (8)	Increase Due to Fee Inc. (9)	Account # (10)
PROPERTY DEPARTMENT									
1993 FEES FOR APPROVAL :									
ADMINISTRATION									
Cost of labour / materials:					$2,000	$5,000	$3,000	–	CH44044–30001
– $1.00 to $99.00	35.00	35.00	0%						"
– $100.00 to $200.00	45.00	45.00	0%						"
– $201.00 to $300.00	55.00	55.00	0%						"
– $301.00 to $400.00	65.00	65.00	0%						"
– $401.00 to $500.00	75.00	75.00	0%						"
– $501.00 to $600.00	85.00	85.00	0%						"
– $601.00 to $700.00	95.00	95.00	0%						"
– over $700.00	105.00	105.00	0%					$0	

SCHEDULE OF USER FEES AND OTHER REVENUES

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE 1992 (2)	USER FEE OR CHARGE 1993 (3)	% INCREASE OVER 1992 (4)	EXPLANATION AND/OR COMMENTS (5)	1992 TOTAL BUDGET (6)	1993 TOTAL BUDGET (7)	$ Increase (8)	Increase Due to Fee Inc. (9)	Account # (10)
PROPERTY DEPARTMENT									
1993 FEES NOT REQUIRING COUNCIL APPROVAL :									
RENTALS									
City Hall (Regional Departments – 3 yr. lease Dec.1/91 – Nov.30/94))									
Planning Dep't. (7th Floor)	88,245.30	88,245.30	0%	Three–year lease Dec.1/91 – Nov.30/94.	$636,050	$422,740	($306,690)	–	CH44119–31102
Engineering Dep't. (7th Floor)	40,869.40	40,869.40	0%						
" (6th Floor)	129,114.70	129,114.70	0%						
" (5th Floor)	41,941.90	41,941.90	0%						
" (Basement Vault)	4,400.00	4,400.00	0%						
Total City Hall	304,571.30	304,571.30	0%						
Kenilworth Ave. N. Composite Building									
Police Department	60,295.00	0.00	–100%	Leaving December 31,1992					
Health Department	10,610.60	10,610.60	0%						
	70,905.60	10,610.60	–85%						
Upper Wentworth Composite Building									
Health Department	54,560.00	4,546.67	–92%	Leaving January 1,1993					
Health Building									
Social Services Department (1st Floor)	63,664.28	31,832.14	–50%	Leaving June 30,1993		included above			
Social Services Department (2nd & 3rd Floors)	142,349.90	71,174.95	–50%	" "					
"	206,014.18	103,007.09	–50%						
Total Annual Rental	636,051.08	422,735.66	–34%						

THE CORPORATION OF THE CITY OF HAMILTON

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE 1992 (2)	USER FEE OR CHARGE 1993 (3)	% INCREASE OVER 1992 (4)	EXPLANATION AND/OR COMMENTS (5)	1992 TOTAL BUDGET (6)	1993 TOTAL BUDGET (7)	$ Increase (8)	Increase Due to Fee Inc. (9)	Account # (10)
PROPERTY DEPARTMENT									
RENTALS									
Civic Properties – monthly					$202,790	$214,710	$11,920	$11,920	CH44104-31106
– 563 Aberdeen	261.00	275.00	5%	Landlord & Tenant Act permits inflationary increases.					"
– 240 Burlington St.E. (Municipal Storage)	0.00	0.00	0%	Increases effective Jan.1/93.					"
– 52/56 Charlton W. (Big Sisters Assc.)	1,300.00	1,300.00	0%	" "					"
– 499 Charlton E.	458.00	485.00	6%	" "					"
– 107 Graham N.	575.00	610.00	6%	" "					"
– 109 Graham N.	574.00	608.00	6%	" "					"
– 113 Graham N.	421.00	446.00	6%	" "					"
– 48 Holly	421.00	446.00	6%	" "					"
– 50 Holly	395.00	419.00	6%	" "					"
– 375 James S. (Boy Scouts Assc.)	1.00	1.00	0%	" "					"
– 485 John N. (North-end Res. Org.)	0.00	0.00	0%	" "					"
– 401-403 King W. (Ham. Wesley House)	550.00	550.00	0%	" "					"
– 2656 King St. E.	521.00	552.00	6%	" "					"
– 2787 King St. E. (Lower)	268.00	284.00	6%	" "					"
– 2787 King St. E. (Upper)	527.00	559.00	6%	" "					"
– 130 Lawrence	247.00	262.00	6%	" "					"
– 1150 Leaside	389.00	412.00	6%	" "					"
– 112 Province St. N.	450.00	419.00	-7%	" "					"
– 122 Province St. N.	395.00	0.00	-100%	To be demolished. Tenant moving to 112 Province St. N.			included above		"
– 195 Rebecca (Taxi Licence Bureau)	0.00	0.00	0%						"
– 306 Rymal E.	263.00	279.00	6%	Landlord & Tenant Act permits inflationary increases.					"
– 662 Rymal E.	563.00	597.00	6%	Increases effective Jan.1/93.					"
– 1086 West 5th	263.00	279.00	6%	" "					"
– Red Hill School	500.00	500.00	0%	" "					"
Press Club – monthly (amounts weighted average)	734.51	768.30	5%	March 15/91 – March 14/92 = $707.39 Council approved. March 15/92 – March 14/93 = $739.93 March 15/93 – March 14/94 = $773.97					CH44103-31109
Credit Union – monthly	6,666.67	6,666.67	0%	5 year lease – Nov.2/91 – Nov.1/96.					CH44134-30002
City Hall Cafeteria – monthly	1000.00 + 10% gross sales	1000.00 + 10% gross sales	0%	5 year lease – April 6/92 – April 5/97.	$27,500	$26,190	($1,310)	$11,920	

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J.J. SCHATZ
CITY CLERK 1993

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Public Library
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THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK
71 MAIN STREET WEST
HAMILTON, ONTARIO L8N 3T4

TEL: 546-2700
FAX: 546-2095

1993 January 15th

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1993 January 21st
9:30 o'clock a.m.
Room 233, City Hall

Susan K. Reeder
Secretary

AGENDA

1. **PRESENTATION**

   Hamilton Society for the Prevention of Cruelty to Animals (Cam Stableford, General Manager). - no copy.

2. **PRESENTATION**

   A. J. Diamond, Donald Schmitt and Company Consultant - City Hall Grounds Study.

   (a) Joint Report - Director of Culture and Recreation; Director of Property; Director of Public Works - City Hall Grounds Study.

3. **ADULT VIDEOS TO MINORS**

   (a) Alderman F. Eisenberger.

   (b) Mayor Morrow - Adult Video Draft By-law - City of Mississauga.

   (c) Referral from Regional Council. (copy to follow)

4. **TABLED RECOMMENDATION - MANAGER OF PURCHASING**

Awarding of a Contract - Supply and Delivery of Office Supplies, Various Departments.

5. **CONSENT AGENDA**

6. **RESOLUTIONS**

(a) Town of Caledon - Provincial Down Loading.

(b) City of Burlington - Unsolicited, Unaddressed Mail.

(c) City of London - Petitioning to the Provincial Minister of Community and Social Services for the Continuation of Sheltered Workshops as a Program of Choice within the Social Services System.

7. **HAMILTON FARMERS' MARKET SUB-COMMITTEE**

(a) Partnership Agreements - Hamilton Farmers' Market.

(b) Enforcement Procedures for Unauthorized Encroachment - Hamilton Farmers' Market.

8. **TREASURER**

Realty and Business Tax Prelevy Mill Rates for 1993.

9. **PRIVATE AND CONFIDENTIAL AGENDA**

10. **OTHER BUSINESS**

11. **ADJOURNMENT**

OUTSTANDING ITEMS

FINANCE & ADMINISTRATION COMMITTEE

Item			Action By	Report due by
1.	(a)	Policy to exempt Parking Authority from realty and business tax.	Treasurer	
	(b)	Examine feasibility of directing the net revenue from parking fines into the Reserve Account.	Treasurer	
2.		Report back on possible amendments to existing legislation to improve power to confiscate vicious animals.	H.S.P.C.A.	
3.		Report on City's Energy Lightbulb Programme.	Purchasing	
4.		Rationale of Development Charges on 84 Birmingham Street.	Building	
5.		Proposed policy on display of plaques, posters, memorabilia, etc.	Property	
		Note: The requests from the following are on hold pending Committee deliberation of the Director's report:		
	(a)	Status of Women		
	(b)	Ridge Raiders Drum & Bugle Corp.		
	(c)	Ad & Sales Club		
	(d)	Hamilton Mundialization Committee		
	(e)	Polish Singers Alliance of America.		
6.		Additional Proposed Development Charges Amendments.	Building	
7.		Commonwealth Plaza Lighting.	Property	
8.		Results of investigation on alternative uses of the Theatre Terra Nova building in the event that Theatre Terra Nova is unable to assume regular monthly mortgage payments as of 1993 January 1st.	C.A.O.	
9.		Report on payment to the Hamilton Harbour Commission for the City's portion of the Windermere Basin Cleanup.	C.A.O.	

Item		Action By	Report due by
10.	Report on procedures to be used in regulating the sale of merchandise by charitable and non-profit groups.	City Clerk	
11.	Report on overview of all types of licences issued and fees for Committees consideration of rationale.	City Clerk	
12.	For the 1993 February meeting, a discussion paper will be presented by the Licence Division on a revised Taxicab By-law.	City Clerk	going first to Taxi Advisory Committee
13.	Analysis of cost benefits to owning a sound system vs. rental.	City Clerk	
14.	Explanation of use of the terminology "terminated" and "resigned" in Appointment Listings.	Commissioner of Human Resources	1993 Feb. 4 meeting
15.	Origin of City Hall Calendar.	City Clerk	

1993 January 15

2.(a)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 14

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: R. Sugden, Director
Culture & Recreation

D. Vyce, Director of Property
Property Department

Doug Lobo, Director
Public Works

SUBJECT: **CITY HALL GROUNDS STUDY, HAMILTON - A.J. DIAMOND, DONALD SCHMITT AND COMPANY, CONSULTANTS**

RECOMMENDATION:

a) That City Council approve the conceptual design plan for the re-development of City Hall grounds as presented by A.J. Diamond, Donald Schmitt and Company;

b) that consideration be given in the 1993-2003 Capital Budget to fund Phase II work including detailed design and engineering details in 1993;

c) that the private and non-profit community group sectors be endorsed as partners, whenever appropriate, in the grounds re-development plan;

d) that the creation of a steering committee, composed of staff, elected officials, and representatives from relevant interest groups, be approved to monitor the project's implementation.

R. Sugden

D. Vyce

D. Lobo

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

At its meeting held on November 3, 1992, the Parks and Recreation Committee received and forwarded for consideration in the 1993-2003 Capital Budget, a submission titled "City Hall Grounds Master Plan". This submission from the Parks Division requested $30,000 in 1993 to allow in-house preparation of design and engineering details which would be used to finalize capital costs (see attached)

BACKGROUND:

The original architectural plans for City Hall included landscape design and public art elements for the forecourt which were never implemented. Over the past thirty years the grounds have developed and changed without benefit of a master plan.

In May 1991, Mr. Jordan Livingston and Mr. Irving Zucker approached the City with two concerns:

1) that the City Hall plaza needed refurbishment and
2) that Mr. Zucker was interested in placing sculptures on the plaza.

At the same time, a request was presented to the Finance and Administration Committee by the Ukrainian Canadian Congress - Hamilton Branch. The Ukrainian group had commissioned a commemorative sculpture which they wished to have installed on the grounds.

In addition, Public Works Department, Parks Division, was recommending the removal of the floral clock which had been donated by the Geritol Follies and a mature conifer donated by the Zonta organization.

In November 1991 Council approved the hiring of a consultant (January 1992) to study these concerns, as well as the issue of accessibility for the physically challenged. The firm of A.J. Diamond, Donald Schmitt and Company was engaged to prepare a report and conceptual design for re-development of the grounds.

The terms of reference for the study restricted the consultant to the grounds on the east, west and north sides of City Hall. The parking areas had already been studied for re-development through the Parking Authority.

All interest groups were consulted during the process. Their suggestions were incorporated in the report's recommendations whenever feasible.

During the course of the consultant's work, and consistent with his interim report's directions, the sculpture "Migration" was installed on the west side of the grounds in time for the one hundredth anniversary of Ukrainian settlement in Canada (May 1992).

Also prior to the report's completion, Council approved the Art in Public Places Policy

(November 10, 1992). The policy implementation strategies are consistent with the consultant's recommendations about public art on the grounds.

The consultant's design recommendations have been structured for implementation in stages. Staff wish to reiterate that this work represents a conceptual design phase. Before proceeding with any form of implementation, the detailed design and engineering work outlined in the Capital Budget submission would need to be addressed.

Attachment

c.c. Kevin Christenson, Secretary, Parks and Recreation Committee

The Corporation of the City of Hamilton

PROJECT NUMBER _____
(Treasury to complete)

1993-2002 CAPITAL BUDGET
INDIVIDUAL CAPITAL PROJECT SUBMISSION FORM

1. DEPARTMENT/LOCAL BOARD: Public Works - Parks Division
2. PROJECT NAME: City Hall Grounds Master Plan
3. DETAILED DESCRIPTION, STATING PURPOSE, TYPE OF PROJECT LOCATION, ETC.:
   Undertake a detailed design and engineering study of City Hall Grounds (Phase II) to complete the Phase I study undertaken by consulting firms in 1992.
4. DEPARTMENTAL PRIORITY ORDER: 7
5. NATURE OF PROJECT:
   (a) MAINTENANCE OF AN EXISTING PROJECT _____
   (b) HARD SERVICE _____
   (c) SOFT SERVICE √
6. PROJECT JUSTIFICATION:
   (a) STRATEGIC DIRECTION
   (Image of the City, Quality of Life, Transportation) √
   (b) HEALTH/SAFETY/ENVIRONMENT _____
   (c) LEGISLATED BY SENIOR LEVELS OF GOVERNMENT _____
   (d) NEEDS ANALYSIS (Demand, Equitable, Cost / Benefit) _____
   (e) ECONOMIC DEVELOPMENT _____
   (f) PRODUCE JOBS IN THE PRIVATE SECTOR √
   (g) MAINTAIN EXISTING SERVICE
   (Roads, Buildings, Other basic infrastructure) √
   (h) REDUCE ONGOING COST
   (Staffing and/or resource requirements) _____
7. FEASIBILITY STUDY:
   (a) DATE (MONTH-YEAR): Sept. 1992
   (b) GROSS COST $ 15,000
8. (a) PROJECT STARTING DATE (MONTH-YEAR)
   (Year of O.M.B. approval): Jan. 1993
   (b) PROJECT FINISHING DATE (MONTH-YEAR): Dec. 1993
9. (a) GROSS COST OF PROJECT
   IN YEAR-OF-START DOLLARS: $ 30,000
   (b) LESS PROVINCIAL SUBSIDIES: $ _____
   (c) LESS OTHER RECEIPTS (Specify): _____ $ _____
   (d) NET CITY'S COST: $ 30,000
10. (a) YEAR OF EXPENDITURE:
   - 1993 $ 30,000

11. ESTIMATE PREPARED BY:
    (a) PROPERTY DEPARTMENT - ARCHITECT DIVISION
        No ✓ Yes __
    (b) If no, the basis of assumptions Estimates prepared by Public Works

12. ADDITIONAL JOBS TO BE CREATED BY PROJECT:
    (a) WITHIN THE CITY DEPARTMENTS 0
    (b) IN THE COMMUNITY 0

13. ADDITIONAL ANNUAL OPERATING COST IN CURRENT BUDGET:
    (a) FIRST YEAR - DATE (MONTH-YEAR) Jan. 1993
    (b) GROSS COST (All Inclusive) $ 0
    (c) LESS RECOVERY/REVENUE $
    (d) NET CITY'S COST $ 0
    (e) FOLLOWING YEAR - DATE (MONTH-YEAR) Jan. 1994
    (f) GROSS COST (All Inclusive) $ 0
    (g) LESS RECOVERY/REVENUE $
    (h) NET CITY'S COST $ 0

14. EFFECT OF REDUCTION IN COST, DELAY OR ELIMINATION OF THIS PROJECT:
    The City has invested in a phase I study by a private consultant consortium in 1992. A second phase providing design and engineering details is required for civic staff to finish the City Hall Grounds Master Plan and prepare detailed capital costs.

15. WAS THIS PROJECT IN LAST YEAR'S APPROVED CAPITAL BUDGET?
    No ✓ Yes ____ ; If yes,
    (a) PROJECT NO. (1992-2001 Capital Budget) _____
    (b) AT CITY'S COST OF $_____
    (c) SCHEDULED TO START IN THE YEAR _____

Signature of Department Head/ Local Board Manager

9-10-94
Date

Signature of C.A.O

Date

16. FUNDING (Treasury Department To Complete):
    (a) NATURE OF PROPOSED FINANCING: _____
    (b) RESERVE/CAPITAL LEVY FUNDING AVAILABLE:
        Yes ___ No ___
    (c) IF DEBENTURE FINANCING:
        (i) ANNUAL DEBENTURE FINANCING COST: $ _____
        (ii) TOTAL CARRYING COST OF RETIRING DEBT: $ _____

NOTE: Estimates of all building related projects and the related operating cost must be provided by the Architect Division, Property Department.

CITY COUNCIL
HAMILTON, CANADA

Alderman Fred Eisenberger

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES: (416) 573-9698 - Ward 5

3(a)

January 14, 1993

Alderman Don Ross
Chairman
Finance & Administration Committee
City of Hamilton

Dear Alderman Ross:

RE: AVAILABILITY OF ADULT VIDEOS TO MINORS

I, as well as many other people have concerns over the availability of adult videos to minors in our community.

I would respectfully request that this issue be placed on the agenda of your upcoming meeting to be held January 21, 1993 in order for us to explore other by-laws and regulations to control the sale and distribution of adult videos to minors.

Thus far we have not done enough to protect our children from these materials and it is time for us to act.

I look forward to your response so that I can make arrangements to be present to address this issue!

Sincerely,

Fred Eisenberger
Alderman, Ward 5

FE:nb

c.c. - Ms. Susan Reeder
Secretary
Finance and Administration Committee

MAYOR

City of Mississauga
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

Tel. (416) 896-5000
FAX: (416) 896-5220

MISSISSAUGA

ATTN: SUSAN REEDER SEC.

To 7+ A

committee

for agenda

3(b.)

FAX COVER SHEET
FAX: (416) 896-5220

Date 92-12-30

To: City of Hamilton

Attention: Mayor Bob Morrow

From: Diana Haas #416-896-5424

Message: Adult Video By-Law

Total No. Pages (Excluding Cover Sheet) 19

Transmitted By: Rita Challis

Confirmation of receipt required: Yes ☐ No ☐

If you do not receive all the pages, or if document is not legible, please contact us immediately. Tel: (416) 896-5666

THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER 589-92

A by-law for the licensing, regulating and governing of adult videotape stores, and for regulating videotape stores in which adult videotapes are provided.

WHEREAS section 225 of the Municipal Act, R.S.O. 1990 c.M.45 ("the Act") authorizes councils of all municipalities to pass by-laws for licensing, regulating, governing, classifying and inspecting adult entertainment parlours or any class or classes thereof and for revoking or suspending any such licence;

AND WHEREAS "adult entertainment parlour" is defined in subsection 225(9) of the Act to mean any premises or part thereof in which is provided in pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

AND WHEREAS "goods" is defined in subsection 225(9) of the Act to include books, magazines, pictures, slides, films, phonograph records, pre-recorded magnetic tape and other reading, viewing or listening matter;

AND WHEREAS the Council of the Corporation of the City of Mississauga (the "Council") has deemed it desirable to enact a by-law for the licensing, regulating and governing of adult videotape stores as a class of adult entertainment parlour pursuant to the provisions of section 225 of the Act;

AND WHEREAS subsection 225(3) of the Act provides that, notwithstanding subsection 109(7) of the Act, a by-law passed under section 225 of the Act may define the area or areas of the municipality in which adult entertainment parlours or any class or classes thereof may or may not operate and may limit the number of the licences to be granted in respect of adult entertainment parlours or any class or classes thereof in any such area or areas in which they are permitted;

AND WHEREAS the Council deems it desirable to enact a by-law defining areas of the City in which adult videotape stores may operate, subject to all other applicable law, and areas in which adult videotape stores may not operate, and limiting the number of licences to be granted in respect of adult videotape stores in the City;

NOW THEREFORE the Council of the Corporation of the City of Mississauga ENACTS as follows:

DEFINITIONS

1. In this By-law:

(a)

(i) "adult videotape" means any videotape the content of which is designed or held out as designed, to appeal to erotic or sexual appetites or inclinations, through the pictorial, photographic or other graphic depiction of subject-matter

distinguished or characterized by the portrayal of one or more persons involved or engaging in specified sexual activities, or by an emphasis on the display of human specified body areas;

(ii) in the absence of evidence to the contrary, a videotape classified by the Ontario Film Review Board as "restricted", with the added information piece "adult sex film" shall be deemed to be an adult videotape, while a videotape without such classification and information piece shall be deemed not to be an adult videotape;

(b) "adult videotape area" means an identifiable part of any premises, which part is used for the provision of adult videotapes;

(c) "adult videotape store" means any premises:

(i) used for the carrying on of the business of the provision of adult videotapes; or

(ii) in which adult videotapes are provided in the pursuance of a business and to which premises entry by persons under the age of 18 years is prohibited, or in respect of which premises it is advertised or notice is given that such entry is prohibited; or

(iii) in which adult videotapes are provided in the pursuance of a business and in respect of which it is advertised, or notice is given either by signs or other advertising devices on or in the premises, or otherwise, that the premises are an "adult video store", an "adult videotape store", an "adult video rental store", or are otherwise described by words of like meaning;

(d) "City" means the Corporation of the City of Mississauga;

(e) "Committee" means a committee of the Council appointed by by-law to conduct one or more hearings under the provisions of this By-law;

(f) "Council" means the Council of the Corporation of the City of Mississauga;

(g) "Licence Manager" means the manager of the licensing section or, in his or her absence, any person authorized to fulfill the responsibilities of the licence manager;

(h) "licensing section" means the licensing section of the Corporate Services Department of the City;

(i) "operator" includes a proprietor, or any other person who alone or with others, manages, supervises, runs or controls a videotape store;

(j) "owner" means a person who alone or with others has a right to possess or occupy a videotape store or actually does possess or occupy a videotape store, and includes a lessee of a videotape store or of premises upon which a videotape store is located;

(l) "to provide" when used in relation to any videotape, means to sell, offer to sell or display for sale by retail, or to rent, offer to rent or display for rental, whether or not the cost, fee or other consideration

passes at the time of such rental or sale, or is effected through the cost of membership, subscription, admission or any other manner;

(k) "specified body areas" means any one or more of the following:

(i) in the case of a female person, her areolae; and

(ii) in the case of all persons, the genitals and the anus;

(l) "specified sexual activities" means one or more of the following:

actual or simulated sexual intercourse, masturbation, urination, defecation, ejaculation, sodomy, including bestiality, anal intercourse, and oral sexual intercourse, direct physical stimulation of unclothed genital organs, and flagellation or torture in the context of a sexual relationship or activity;

(m) "videotape" means cinematographic film, videotape and any other medium from which may be produced visual images that may be viewed as moving pictures;

(n) "videotape store" means any premises or part thereof in which videotapes are provided in the pursuance of a business, and includes an adult videotape store.

LICENCE REQUIREMENT

2. There shall be taken out by every operator of an adult videotape store a licence from the Council authorizing him or her to carry on such business in the City, for which licence the person obtaining the same shall pay to the Council at or before the time of taking out such licence the fee fixed by this By-law, and no person shall, within the limits of the City, carry on or engage in such business until he or she has procured such licence so to do.

3. A licence is not required under this By-law in respect of any videotape store in which the provision of adult videotapes is only incidental to the carrying on of the business of the provision of videotapes which are not adult videotapes, but the regulations contained in this by-law relating to the display of adult videotapes and to the prohibition of admission to all or part of premises by persons under the age of 18 years, shall apply to all videotape stores.

DEFINED AREAS AND LIMITATION ON NUMBERS OF LICENCES

4.

(1) Each of the areas of the City defined in Schedule 1 to this By-law, which Schedule shall be deemed to be part of this By-law, is an area in which one adult videotape store may operate, and no adult videotape stores are permitted to operate in any other area or areas of the City.

(2) In respect of areas defined in Schedule 1 to this By-law, no licence or licences may be granted except as permitted in that Schedule, or in a greater number than those specified in such Schedule.

(3) Any description of an area or areas in a map in Schedule 1 shall be deemed to define an area for the purposes of this section and that Schedule.

(4) No person shall operate an adult videotape store in the City except as permitted under this By-law and pursuant to a licence issued under this By-law.

ADMINISTRATION

5. The licensing section shall:

(a) receive and process all applications for licences and renewal of licences required under this By-law;

(b) administer the issuance of licences in accordance with the provisions of this By-law;

(c) maintain and keep records of all applications received and licences issued;

(d) generally perform administrative functions incidental and necessary to the due administration and enforcement of this By-law.

APPLICATIONS FOR LICENCES

6.

(1) Every person applying for a licence under this By-law shall file with the licensing section a duly completed application form provided by the licensing section, in which the applicant shall provide all information sought in such application form.

(2) The applicant shall, at the time of the filing of the application form required under subsection (1), deliver to the licensing section the following:

(a) cash, money order or certified cheque in the amount of $2,000.00, which sum is hereby fixed as the licence fee for every licence required under this By-law and for the renewal thereof;

(b) if the applicant is a corporation, a copy of the incorporating document and a copy of the last annual information return filed, and a list of the names and home addresses of the directors, shareholders and officers of the corporation;

(c) if the applicant is a partnership, a list of the names and home addresses of the partners, and if a registered partnership, a copy of the registered declaration of partnership.

7. Every application form shall include a requirement that the applicant provide at least the following information:

(a) the name and address of the applicant;

(b) the address of the applicant and of the intended licensee, to which the City or its licensing section may send or deliver any notice or other document required or authorized by law;

(c) the municipal address of each building, premises or place in respect of which a licence sought where a business licensed or required to be licensed is or is intended to be carried on;

(d) the name and address of the owner of any building, premises or place in which any such business is to be carried on;

(e) any trade or business description to be used in relation to the business;

(f) the telephone number of such business;

(g) a record of all offences, other than offences relating to motor vehicles, under any by-law, provincial statute or federal statute in respect of which the applicant, if the applicant is an individual, any of the partners, if the applicant is a partnership, or any of the directors, shareholders and officers of a corporation, if the applicant is a corporation, has or have been convicted.

8.

(1) If the applicant is not an individual, the application form shall be completed and updated from time to time as this By-law requires, by an individual duly authorized by the applicant to execute such form on behalf of the applicant and binding upon it, and the individual completing such form shall sign the form, certifying the truth and completeness of the information provided therein.

(2) The provisions of this by-law relating to an application for a licence shall apply, with necessary modifications, to an application for the renewal of a licence or to amend a licence or a condition of such licence, except that where the applicant notifies the licensing section that the information on file with the licensing section has not changed, the applicant shall not be required to complete a new application form or amendment thereto in respect of an application for renewal.

9.

(1) Upon the receipt of an application form by the licensing section, the Licence Manager shall carry out such investigation or verification relating to the application as he or she may deem necessary for the purposes of the administration of this By-law and shall, if the investigation or any other information available to the Licence Manager discloses no reasonable grounds to believe that the application is not in compliance with the By-law, or that the applicant may not be entitled to the issuance of a licence on the grounds referred to in this By-law or by reason of any other provision of this By-law or other applicable law, issue the licence.

(2) If the investigation or any other information available to the License Manager discloses reasonable grounds to believe that the applicant may not be entitled to the issuance of a licence on grounds referred to in this By-law, or by reason of any other provision of this By-law or other applicable law, the Licence Manager shall forthwith cause notice of this fact and the reasons therefor to be served upon the applicant at the address shown on the application form, and may refer the matter to the Council, or to a Committee established by by-law of the Council for the holding of hearings under this By-law.

(3) The Licence Manager shall, in any notice served under subsection (2), include in such notice a statement that the applicant may require a hearing of the application by the Council or a committee of the Council, as the case may be, by serving a notice in writing to that effect upon the Licence Manager within 15 days of the date of the notice, and a statement that if no such notice is served by the applicant the application may not be granted and the applicant will not be entitled to any further notice in the proceedings.

(4) Where the Licence Manager receives notice from an applicant requiring a hearing in accordance with this section, the Licence Manager shall forthwith refer the application to the Council or Committee as the case may be, for a hearing.

(5) Where the Licence Manager does not receive notice from an applicant requiring a hearing in accordance with this section, the Licence Manager need not process the application further, and no further notice is required to be served upon the applicant.

(6) Where an application has been referred to the Council or the Committee for a hearing under this section, and the applicant does not attend before the Council or Committee at the time and place of which notice has been served upon such applicant in accordance with this By-law, the Council or the Committee may hold a hearing in the absence of the applicant or may decide to take no further action with respect to the application, and no further notice is required to be served upon the applicant.

10. Where the Licence Manager has referred an application to the Council or a Committee for a hearing pursuant to section 9 of this By-law, the Council or the Committee may, after a hearing, or after an opportunity for a hearing has been given to the applicant:

(a) grant the application in whole or in part and direct that the licence be issued, subject to compliance with this By-law;

(b) grant the application subject to such conditions as the Council or the Committee as the case may be, in accordance with this By-law considers just and equitable in attaining the purposes of this By-law, and as are accepted by the applicant, and direct that the licence be issued subject to such conditions and to compliance with this By-law;

(c) refuse in whole or in part to grant the application upon grounds contained in this By-law or otherwise by law; or

(d) adjourn the application in accordance with this By-law, or make such other disposition as may be permitted under this By-law and is in accordance with law.

11. An applicant for a licence who complies with the provisions of this By-law is, subject to the provisions of this By-law, entitled to be issued a licence, except where:

(a) there are reasonable grounds for belief that any application or other document provided to the licensing section by or on behalf of the applicant contains a false statement or provides false information; or

(b) the past or present conduct of the applicant, or of any partner, in the case of an applicant which is a partnership, or of any director, shareholder or officer of the corporation, if the applicant is a corporation, affords reasonable grounds for belief that the business in respect of which the application is made will not be carried on in accordance with the law and with integrity and honesty; or

(c) there are reasonable grounds for belief that the carrying on of the said business will result in a breach of this By-law or any other law, including any applicable zoning requirement; or

(d) the financial position of the applicant affords reasonable grounds to believe that the business will not be carried on in a financially responsible manner; or

(e) there are reasonable grounds for belief that the application does not meet all the requirements of this By-law, or that the business is carried on or intended to be carried on in an area of the City where such business is prohibited by this By-law from being carried on, or in

respect of which the issuing of a licence in respect of the business is not permitted by this By-law; or

(f) there are reasonable grounds for belief that the building, premises or place in which the business is carried on or intended to be carried on does not comply with the provisions of this By-law, or with any other law, including any applicable building requirements, or is dangerous or unsafe; or

(g) the conduct of the applicant or of one or more of the persons referred to in paragraph (b) of this subsection affords reasonable grounds for belief that the carrying on of the business in respect of which the licence is sought would infringe the rights, or endanger the health or safety, of one or more members of the public; or

(h) the fee payable in respect of the licence applied for has not been paid.

HEARINGS

12.

(1) The provisions of sections 5 to 15 and 21 to 24 of the Statutory Powers Procedure Act shall apply to all hearings conducted by a Committee under this By-law.

(2) Upon the conclusion of a hearing conducted by a Committee under this By-law, the Committee shall as soon as practicable make a written report to the Council summarizing the evidence and arguments presented by the parties, the findings of fact made by the Committee and the recommendations, if any, of the Committee with reasons therefor on the merits of the application or matter in respect of which the hearing has been conducted.

(3) After considering the report of the Committee the Council may thereupon in respect of such application or matter, make any decision permitted under this By-law in respect of the granting or refusal of a licence, the imposing of conditions on a licence, or the revocation or suspension of a licence, that it might have made had it conducted the hearing itself.

(4) Section 24 of the Statutory Powers Procedure Act shall apply to the Council in the exercise of a power under this By-law.

REVOCATION, SUSPENSION, PROBATION

13. The Council may revoke or suspend any licence issued under this By-law, upon any of the grounds set out in section 11, provided that no licence shall be revoked or suspended except after a hearing by the Council, or a Committee appointed by by-law for the holding of one or more hearings, or after an opportunity for such a hearing has been afforded to the licensee in accordance with law.

14.

(1) Where the Council or a Committee concludes that grounds exist upon which a licence may be refused, suspended or revoked, the Council may in lieu thereof issue a licence for any period up to a full licence period on probation, or without a term of probation, subject to such conditions as the Council may impose and the applicant or licensee accepts, and are in accordance with law.

(2) The Licence Manager may, where he or she has reasonable grounds to believe that any one or more grounds exist upon which a licence could be revoked or suspended, provide written notice to the licensee and to the Council of such fact, and provide notice to the licensee of a right to a hearing in accordance with this By-law and other applicable law.

ISSUANCE AND TERMS OF LICENCES

15. Every licence issued under this By-law shall expire on December 31 of the year in which it is issued.

16. A licence issued under this By-law is personal to the licensee, and cannot be transferred.

17. The rights granted by a licence issued under this By-law apply only to the location for which the licence is issued.

18. Where a completed application form for the renewal of a licence is not submitted to the licensing section before the expiry date, the applicant shall be required to submit a new application together with the application fee.

19. Where a licence has been revoked, the licensee is entitled to a refund of a part of the license fee proportionate to the unexpired part of the term for which it was granted.

NOTICE

20.

(1) Any notice required to be given under this By-law is sufficiently given if delivered personally or sent by registered mail addressed to the person to whom delivery is required to be made at the last address for delivery appearing on the records of the Licence Manager.

(2) Where service is effected by registered mail, it shall be deemed to be made on the third day after the date of mailing, unless the person on whom service is being made establishes that he or she did not, acting in good faith, through absence, accident, illness or other cause beyond his or her control, receive the notice or order until a later date.

CHANGES IN INFORMATION

21.

(1) Every licensee shall notify the licensing section in writing within four days after the event, of any change in any of the information contained in the application form.

(2) Where a change has occurred in the name or business name of a licensee, the licensee shall attend within four days of the date of the change at the office of the licensing section, to have the licence and licence records amended accordingly.

REGULATIONS APPLICABLE TO ADULT VIDEOTAPE STORES

22. Every licensee shall:

(a) prominently display the licence at the premises licensed at all times and shall produce the licence upon request by the Licence Manager, any by-law enforcement officer and any police officer;

(b) keep the premises in a clean and sanitary condition;

(c) maintain on the premises, available for inspection by the License Manager, any by-law enforcement officer or any police officer, during all business hours, a current list of all adult videotapes available on the premises;

(d) carry on business only in the name in which the licence is issued, or such other business or trade name provided to the licensing section and shown on such licence;

(e) advertise, promote and carry on such business only under the name in which the licence is issued, or such other business or trade name provided to the licensing section and shown on such licence.

23.

(1) No owner, operator or any person working in an adult videotape store shall permit any person under the age of eighteen years to enter or remain in such store;

(2) No owner, operator or any other person shall work in an adult videotape store, or in that part of any videotape store in which adult videotapes are provided, unless such person is of the age of eighteen years or older.

24.

(1) Every operator shall post and keep posted at every entrance to any adult videotape store operated by such operator, and in a prominent location inside such store, signs sufficient to indicate clearly to any person approaching or entering the store, and to every person in the store, that no person under the age of eighteen years is permitted to enter or remain in such store or any part thereof.

(2) Exterior signs and advertisements relating to adult videotape stores and to the provision of adult videotapes, shall be restricted to the words "adult videos", "adult videotapes", or "adult videotapes sales or rentals" and shall not include pictorial representation of specified body areas or specified sexual activities.

REGULATIONS APPLICABLE TO ALL VIDEOTAPE STORES

25.

(1) Every owner and every operator of a videotape store, whether or not he or she is required to be licensed under this By-law, shall, in the carrying on of such business, comply with the regulations contained in this By-law relating to the provision of adult videotapes;

(2) Every owner and operator referred to in sub-section (1) shall ensure that every person working in such videotape store complies with all requirements of this By-law relating to the provision of adult videotapes

and the prohibition of access to all or part of the premises to persons under the age of eighteen years, as required by this By-law;

(3) Every person working in a videotape store shall comply with all requirements of this By-law relating to the provision of adult videotapes and the prohibition of access to all or part of the premises to persons under the age of eighteen years, as required by this By-law.

26.

(1) No owner or operator of a videotape store in which adult videotapes are provided, shall permit any person under the age of eighteen years to enter or remain in any part of such store where adult videotapes are provided, or within three metres of any adult videotape unless such adult videotape is located in an adult videotape area;

(2) Every owner and operator of a videotape store in which any adult videotape is provided, shall affix, in a prominent location inside such store and at every entrance to any adult videotape area, a sign or signs sufficient to indicate clearly to persons in the store, that no person under the age of eighteen years is permitted to enter or remain in any adult videotape area in accordance with this By-law;

(3) Every operator of a videotape store, including an adult videotape store, and every person working in such store, shall ensure that no person under the age of eighteen years is permitted to enter an adult videotape store, or any adult videotape area, in accordance with this By-law.

(4) Every operator of a videotape store and every person working in such store shall ensure that no adult videotape, or container for an adult videotape shall be displayed in such a manner so as to be visible from outside the store.

(5) Every operator of a videotape store and every person working in such store shall ensure that no adult videotape, or container for an adult videotape, shall be displayed in a videotape store that is not an adult videotape store, in a location where it can be seen by persons in the store, unless such adult videotape or container is in a separate location in such store to which persons under the age of eighteen years are not permitted to enter, and such adult videotape or container is displayed in a location where it cannot be seen from outside such area.

PENALTY

27.

(1) Every person who contravenes any provision of this By-law, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and on conviction is liable to a fine, exclusive of costs, not exceeding $25,000.00.

(2) Where a corporation is convicted of an offence under this By-law, the maximum penalty, exclusive of costs, that may be imposed on the corporation is $50,000.00, and not as provided in subsection (1).

VALIDITY

28. If a court of competent jurisdiction declares any provision, or any part of a provision, of this By-law to be invalid, or to be of no force and effect, it is the intention of the Council in enacting this By-law, that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

SHORT TITLE

29. This by-law may be referred to as the Adult Videotape Licensing and Regulatory By-law.

EFFECTIVE DATE

30.

(1) Subject to subsection (2), this by-law shall come into force and effect on November 25, 1992.

(2) No adult videotape store shall be required to be licensed under this By-law until January 1, 1993, provided that, subject to Schedule 1, no such licence may be granted to any adult videotape store except in respect of any part of premises used for the business of the provision of adult videotapes on November 25, 1992 and continued to be used for such purpose through the period up to the issuance of the licence.

ENACTED AND PASSED this 25th day of November, 1992.

Approved
City Solicitor
Mississauga

MAYOR

CLERK

SCHEDULE 1 TO BY-LAW NO.

1. (1) That part of premises at each of the following municipal addresses in actual use for the purpose of an adult video business as of November 25, 1992:

1. 7178 Airport Road
2. 1111 Britannia Road East, Unit No. 21, #238, Level 1
3. 41A Dundas Street East, Unit 3
4. 1370 Dundas Street East, Unit 9
5. 560 Lakeshore Road East, Ground Floor
6. 1722 Lakeshore Road West
7. 141 Queen Street South

is hereby defined as an area in which one adult videotape store is, if in compliance with all other applicable law, permitted to operate and eligible to be licensed for so long as such part of such premises continues to be lawfully used for such purposes.

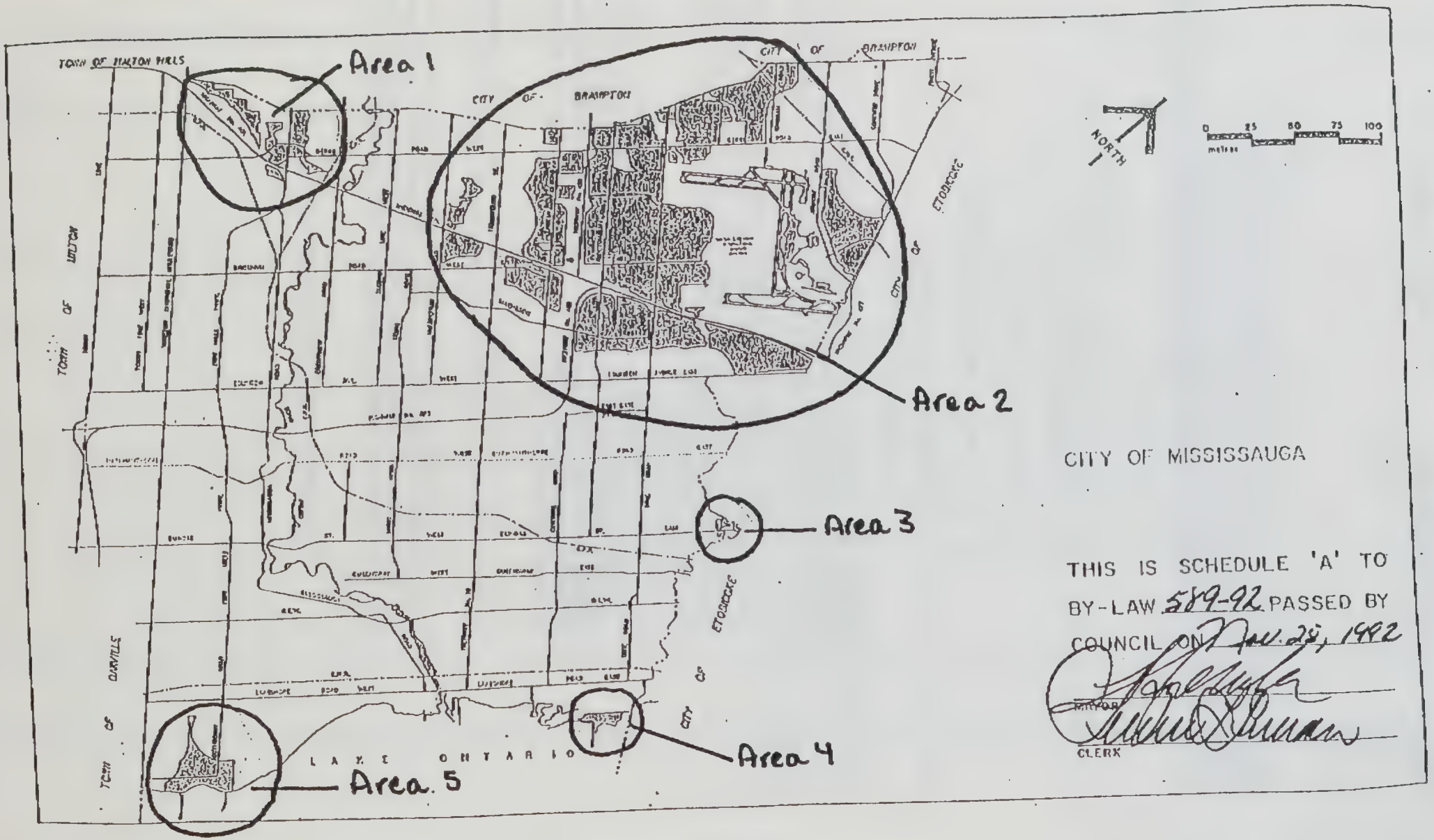
(2) For the purposes of subsection (1), any part of premises in respect of which application was made, prior to November 25, 1992, for a building permit for alterations to enable the expansion of an existing adult videotape store, shall be deemed to be included as part of the area defined in respect of those premises, provided that such permit is granted.

2. In addition to the areas defined in section 1 of this Schedule, one adult videotape store may be operated in the totality of the shaded part of each of the numbered designated areas shown on the attached map, subject to compliance with all applicable law including the enactment by the Council of amendments to its zoning by-laws for such purpose should the Council see fit to exercise its authority to implement such objective.

3. The total number of licences for adult videotape stores in the City which may be issued under and in accordance with this By-law shall be limited to 12.

4. Should any area referred to in section 1 of this Schedule cease to be used for the purposes of an adult videotape store, any licence issued under this by-law may be revoked, no renewal or further such licence shall be issued, and the total number of licences authorized under section 3 of this Schedule shall be decreased by one.

5. The attached map shall form part of this By-law.



CITY OF MISSISSAUGA

THIS IS SCHEDULE 'A' TO BY-LAW 589-92 PASSED BY COUNCIL ON Nov. 25, 1992

MAYOR

CLERK

22 Corporate Report

Received by Clerk's Dept DEC 3 1992

Clerk's Files

Originator's Files BL.08.ADU

GENERAL COMMITTEE DEC 9 1992

DATE: December 2, 1992

TO: Chairman and Members of General Committee

FROM: BRENDA R. BREAULT, CMA
ACTING COMMISSIONER OF CORPORATE SERVICES

RE: **Adult Videotapes**

ORIGIN: Mayor and Members of Council, Council November 25, 1992

BACKGROUND: On November 25, 1992 Council enacted By-law 589-92, being a by-law for the licensing, regulating and governing of adult videotape stores, and for regulating videotape stores in which adult videotapes are provided.

The Mayor and Members of Council had previously expressed concern with respect to the ease with which adult videotapes are available for sale or rent to the public, the strongest concern being with respect to those stores which locate in commercial zones in close proximity to residences, schools and other similar uses. In particular, there has been consistent, significant concern expressed about the potential exposure to and availability for children to view such material. Accordingly, Council determined to enact a by-law which would effectively regulate and govern such adult videotapes and license adult videotape stores.

Until November 25, 1992 Council had initiated action in response to this concern through the establishment of the Mississauga Committee on Obscenity and through requests for the zoning by-law to be amended.

COMMENTS:

Legislative Authority

Section 225 of the Municipal Act, R.S.O. 1990, c.M.45 authorizes councils of all municipalities to pass by-laws for "licensing, regulating, governing, classifying and inspecting adult entertainment parlours...and for revoking or suspending any such licence and for limiting the number of such licences to be granted".

Section 225 of the Act sets out a number of definitions including:

> "adult entertainment parlour" means any premises or part thereof in which is provided, in pursuance of a trade calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations.
>
> "goods" includes books, magazines, pictures, slides, film, phonograph records, prerecorded magnetic tape and any other reading, viewing or listening matter.
>
> "to provide" when used in relation to goods includes to sell, offer to sell or display for sale, by retail or otherwise such goods, and "providing" and "provision" have corresponding meanings.

Using the authority granted to municipalities by the Province in section 225 of the Act it is permissible to enact a by-law regulating the sale and rental of adult videotapes as well as adult films and adult laser discs.

Definition of Adult Videotape

To be considered a class of adult entertainment parlour, adult videotape stores must offer goods "appealing or designed to appeal to erotic or sexual appetites or inclinations". The means by which the greatest amount of certainty may be given to operators of premises offering adult videotapes for sale or rent to determine if their inventory includes such goods, is to comply with principles adopted by the courts requiring specific, narrowly-drawn and clear definitions of material to be covered by such a by-law.

226

Further certainty may be added by reference to classifications by the Ontario Film Review Board of videotapes as "Restricted - adult sex film".

Defined Area

Subsection 225(3) of the Act authorizes a municipality to define the area or areas of the municipality in which an adult entertainment parlour or any class thereof may operate. Given Council's concern with respect to the location of stores offering adult videotapes to the public, it is therefore desirable to utilize this authority to restrict the location of such businesses.

In view of Council's concerns regarding exposure of children to such videotapes, adult videotapes are most appropriately located separate and apart from areas where children under eighteen years of age are most likely to frequent. This includes residential zones and zones in which residential use is permitted, schools other than post secondary schools, libraries, community centres, arenas, parks and lands zoned commercial. Once these uses are considered in their totality it becomes apparent that lands zoned industrial are the most likely to meet the criteria. The provision then that adult videotape stores be located in lands zoned industrial according to the applicable zoning by-law and a set distance from those other uses satisfies the concerns of Council and at the same time provides the appropriate regulation of such adult videotape stores.

Restriction on Age

Under subsection 225(7) of the Act, the municipality may require that licensed establishments prohibit individuals under the age of eighteen (18) from entering the premises. Due to Council's concern with respect to such establishments it is considered appropriate to include such a prohibition in the by-law.

It is recognized, however, that businesses may offer videotapes other than adult videotapes. In such cases where the stores are not exclusively adult videotape stores, provision has been made for the portion of the store offering adult videotapes to be partitioned off from the remainder of the store with admittance to this area restricted to individuals eighteen years of age and over.

Restriction on Numbers

Subsection 225(3) of the Act allows a municipality to place a restriction on the numbers of adult entertainment parlours or any class thereof. By combining a definition of areas where adult videotape stores are permitted, with a limitation placed on the numbers outside such areas to those now existing, Council has determined that it is appropriate to fix a "cap" on the total number of such stores to be located in the City.

Licence Fees

A fee may be charged for the licence. Pursuant to subsection 109(5) of the Act the "licence fee may be in the nature of a tax for a privilege conferred by it". The fee currently charged to adult entertainment parlours is $3,500.00, while the fee for adult bookstores is $50.00. The difference in the fee structure reflects the reality of the number of licences issued. There are presently ten (10) licensed adult entertainment parlours in the City as opposed to 187 licensed adult bookstores. Since the adult videotape stores are both limited in number and permitted to locate only in particular areas of the City, such stores will be gamering all business in this regard without any further similar operations competing for such business. Therefore it is appropriate for a fee of $2,000.00 to be charged to adult videotape stores both for the initial licence and for each annual renewal thereof.

22d

Signage

Subsection 225(2) of the Act allows a municipality to place conditions on the signage advertising adult entertainment parlours or any class thereof or to prohibit advertising signs or advertising devices, be they printed matter or be they by means of oral communication. It is advisable to permit a limited amount of advertising in order that the public is informed as to the subject matter of the adult videotape store and the age restriction to those eighteen (18) years of age or younger. At the same time it is desirable to control the content of the signage. Hence, not only must all signs comply with all applicable provincial and municipal regulations, but signs should also be limited, to the extent authorized by the Act. These signs will be visible to general public at large. However, signs are not to depict specified body areas or specified sexual activities. As well, the language used in the advertisements should be restricted to "adult videotapes".

It is also required that there shall be a sign posted at the entrance to every adult videotape store indicating that admittance is restricted to individuals over the age of eighteen (18) and that appropriate proof of age is required. Similar signage is also to appear at the entrance to areas containing adult videotapes in all other videotape stores.

Refusal, Suspension or Revocation

Currently all the City's by-laws which license businesses include provisions for the refusal, suspension or revocation of the licence. Authority for such sections is found in subsection 225(1) of the Act. The by-law would authorize Council to take these actions but would also allow the Council to delegate to a Committee the responsibility for holding hearings to consider such matters.

Grounds for Refusal to Licence or Renew a Licence

The City is most concerned with making every attempt to ensure that businesses are both economically viable and operated within the law. Forthcoming from these concerns is the standard requirement that all licence applicants or applicants for renewal be financially sound and have not behaved previously in a manner that the issuance of the licence would be adverse to the public interest. These requirements are included in all other of the City's licensing by-laws.

CONCLUSION: In light of the concerns expressed by Council with respect to the location and numbers of adult videotape stores located in the City, it was appropriate and prudent for Council to enact a by-law which licenses and regulates the existence of adult videotape stores and adult videotapes in general.

RECOMMENDATION: That the report dated December 2, 1992 from the Acting Commissioner of Corporate Services to the General Committee regarding By-law 589-92, being the Adult Videotape Licensing and Regulatory By-law, be received for Information.

Brenda R. Breault

BRENDA R. BREAULT, CMA
ACTING COMMISSIONER OF CORPORATE SERVICES

SEP:JMB:drb

4.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1992 October 30

REPORT TO: Ms. Susan Reeder, Secretary
Finance and Administration Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: SUPPLY AND DELIVERY OF OFFICE SUPPLIES, VARIOUS DEPARTMENTS

RECOMMENDATION:
That a purchase order be issued to Brown Collett, Mississauga, to supply and delivery office supplies to various departments for a period ending January 31, 1994, with an option in favour of the City to extend for one additional twelve month period, being the lowest of four proposals received, in accordance with a Request for Proposal issued by the Manager of Purchasing and Vendor's Proposal, and be financed through various approved Office Supplies Accounts.

_____
T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND: Analysis of proposal including City of Hamilton, Regional Municipality of Hamilton-Wentworth, Hamilton Street Railway and City of Stoney Creek

	Based on 300 Commonly Used Items	Discount off Regular Catalogue Items estimated to cost $40,000	Payment Discount	Total Value of Contract
Brown & Collett, Mississauga	$193,000.36	40% or $24,000	0%	$217,000.36
Grand & Toy, Hamilton	204,813.56	40% or $24,000	0%	228,813.56
Cloke & Son, Hamilton	216,090.80	46% or $21,600	3% 15th mo. following = $7,742.34	229,948.46
Today's, Cambridge	296,203.64	48% or $20,800	2% 10 days = $6,340.07	310,663.57

The proposal required responses to several questions which included three similar contracts over $200,000 that the company currently provided.

Responses	Company	Term of Contract
Brown & Collett	Goodyear	6 years
	Hospital for Sick Children	30+ years
	Xerox Canada	20 years
Grand & Toy	McMaster University	4 years
	American Express (Toronto)	5 years
	National Grocer (Toronto)	6 years
Cloke & Son	Manulife (Toronto)	20 years
	Dofasco	20 years
	Laidlaw (Burlington)	4 years
Today's	Stelco	1 year
	St. Joseph's Hospital	18 months

	Locations of Walk-in Counter Sales	Location of Warehouse
Brown & Collett	Mississauga	Mississauga
Grand & Toy	Jackson Square Centre Mall 2227 Barton Street East Mapleview Mall, Burlington plus two new additional locations through the recent purchase of Wilson Stationery located at Eastgate Square and Limeridge Mall	Toronto
Cloke & Son	149 Barton Street Burlington Mall, Burlington	Kitchener - This is their major warehouse and items are shipped to a location on Burlington Street for distribution
Today's	Cambridge London Scarborough Ottawa	Toronto

Brown & Collett currently have twenty-one (21) customers in the Hamilton, Ancaster, Stoney Creek and Burlington area, and several were contacted with positive statements on their ability to service their needs. They have stated that if successful with this contract, we would have one sales person looking after the three agencies as well as one inside contact person, and purchase a truck to provide a twenty-four (24) hour turn-around time for deliveries if orders are placed before 3:00 p.m. They have toll free telephone and fax numbers for orders that are placed or inquiries that have to be made.

FINANCE AND ADMINISTRATION COMMITTEE

THURSDAY, 1993 JANUARY 21ST

CONSENT AGENDA

A. ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the regular meeting held Thursday, 1993 January 7th.

B. MAYOR ROBERT M. MORROW

Funding: Edmund C. Bovey Clinic and Regional Meeting.

C. CITY CLERK

(i) Black History Month.

(ii) Use of Council Chambers - Presentation of Canada 125 Commemorative Medals.

D. ADVISORY COMMITTEE ON EQUITABLE REPRESENTATION ON COMMITTEES/BOARDS/COMMISSIONS

Appointment of Member to the Advisory Committee on Equitable Representation on Committees/Boards/Commissions.

E. DIRECTOR OF PROPERTY

(i) Closure of Property Department Capital Projects.

(ii) Agreement for Windows and Door Facing Jarvis Street Square - 303, 305 and 307 King Street East - Agommen Ltd. and Partners.

F. DIRECTOR OF INFORMATION SYSTEMS

Payment of 1993 DBS Software Maintenance Invoice.

G. COMMISSIONER OF HUMAN RESOURCES

(i) Contract Settlement - Marble Setter, Tile Setters & Terrazzo Worker, Local 31B.

(ii) Contract Settlement - Teamsters Construction Council of Ontario, Local 879.

(iii) Contract Settlement - International Union of Elevator Constructors for Local 90.

(iv) Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1993 January 11th.

H. FRENCH SUB-COMMITTEE

1993 Membership Fees - Francophone Association of Municipalities of Ontario.

I. TREASURER

Funding - 1993 Membership Fees - Francophone Association of Municipalities of Ontario.

A.

Thursday, 1993 January 7
9:30 o'clock a.m.
Room 233, City Hall

The Finance and Administration Committee met.

There were present: Alderman D. Ross, Chairperson
Alderman B. Charters, Vice-Chairperson
Mayor Robert M. Morrow
Alderman T. Cooke
Alderman D. Agostino
Alderman V. Agro
Alderman T. Anderson
Alderman G. Copps
Alderman D. Drury

Also present: Alderman M. Kiss
J. Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor
A. Ross, Treasurer
P. Hooker, Law Department
D. Lee, Freedom of Information Officer
T. Bradley, Manager of Purchasing
J. Avery, Purchasing Department
J. Hindson, Director of Information Systems
Deputy Fire Chief Smith
D. Peters, Fire Department
R. Joyce, Fire Department
D. Carson, Mayor's Office
D. Vyce, Director of Property
S. Hollowell, City Clerk's Office
S. Dembe, Manager of Licencing
Susan K. Reeder, Secretary

A G E N D A

1. DELEGATION

Tenderers - Office Supply Contract:

(a) Brown & Collett Limited.

Irene Veckey, Sales Representative and Reed Wortmann, Director, Sales and Marketing for Brown & Collett Limited, spoke to the Committee with respect to their written presentation which had previously been distributed to all members of the Committee. It was noted that Brown & Collett is the Company being recommended for awarding of the Contract for Office Supplies. Mr. Wortmann spoke to the Committee with respect to the Company and its services. The Committee agreed to take their presentation under advisement.

(b) Cloke/Basics Office Products.

Mr. Tom Burns, Company Principal and Mr. Gary Schumacher, General Manager, spoke to the Committee with respect to their presentation which had been previously distributed to members of the Committee.

Mr. Burns spoke and outlined the history of the Company and aspects of the Business Services available from them. It was indicated that Cloke/Basics Office Products is the incumbent Company. Mr. Schumacher indicated to the Committee that any differences over 5% in unit pricing should be analyzed for error since all products are purchased from the same source.

Mr. Schumacher then asked if the Committee could moved into an In-Camera Session to receive statistical information on unit pricing that he wished to bring to the attention of the Committee. With the concurrence of the suitability of doing this by the City Solicitor, the Committee then moved into the In-Camera Session.

The Committee then moved back into Regular Session and agreed to **receive** the presentation by Cloke/Basics Office Products for information purposes.

(c) **Grand & Toy Limited.**

Mr. Gary Hill, Sales Manager, and Mr. Joe Peni, Branch Manager, spoke to the Committee with respect to their written presentation previously distributed to members of the Committee. Mr. Peni indicated that his Company requested that this opportunity be given to the Tenderers because Grand & Toy is discontent with the recommended Contractor for the Office Supply Contract. He indicated that they feel that Grand & Toy should be awarded the Contract. Mr. Peni disagrees with the assumption that all basic list prices are the same and that only the discount is the issue. At that point the Committee asked the Manager of Purchasing to speak to this statement.

Mr. Peni emphasized that Grand & Toy consists of 5 Retail Outlet Stores in Hamilton and that this is a strong asset for them to be awarded the Contract. He also indicated and emphasized that Grand & Toy pays a fairly high amount of taxes to the City of Hamilton.

Some discussion then ensued with respect to the advantages versus the disadvantages of a Office Supply Company having stores accessible for employee purchases.

The Committee agreed to take the presentation by Grand & Toy under advisement.

(d) **Today's Business Products Ltd.**

Mr. Gerry Reid, District Manager, and Mr. Joe Darcy of Today's Business Products Ltd. spoke to the Committee with respect to the presentation which was previously distributed to members of the Committee. They indicated that the volume of usage quoted in the Contracts seemed distorted for actual purchases being made. They concurred that they made some very large errors in their bid, in the amount of approximately $65,000. to the bottom line, which certainly affected their opportunities for being awarded the Contract. The concluded by indicating that they would invite staff and Committee members to visit their plant.

The Committee then discussed these presentations at some length and it was agreed that the presentations would be taken under advisement and that no decision would be made at that meeting, but that this matter would be **tabled** to the next meeting of the Committee to require that Alderman Morelli, who had originally asked for the referral back at Council, could be in attendance at that time. Alderman Copps questioned whether a special meeting should be held on this matter.

2. **CONSENT AGENDA**

The Committee was in receipt of its Consent Agenda and some concerns were expressed to some of the information contained in the Treasurer's Report, respecting Expenditures as follows:

C.(iv)- Status of Hosting, Receptions and Related Accounts - Use of City Hall - Outside Groups

(a) Expenditure on 1992 January 24 - Heaven Piano Company - Tuning and Lubricant Pedal - $589.41; and,

(b) Expenditure on 1992 October 2 - Piano Rental - Raise Flag for Canada - $50.00; and,

(c) Expenditure on 1992 October 15 - Heaven Piano Company - Rental - $86.58; and,

(d) Expenditure on 1992 October 8 - Paint/McMaster Drama Festival Sign - $282.00.

It was agreed that staff would report back to the Committee with respect to these queries.

C.(iii)-Status of Unclassified Revenue and Expenditures as at 1992 November 30.

Alderman Drury requested that the statement entitled "Unclassified Expenditures as at 1992 November 30" be corrected to correctly refer to the Taxi Advisory Committee and not the Taxi Cab Task Force Sub-Committee, since this name was changed some time ago. It was agreed that staff would make this correction.

With respect to the above-noted statement, Alderman Anderson raised concerns with respect to the funds being expended for meeting costs for a number of Task Force and Sub-Committees. Some discussion ensued with respect to that.

It was further agreed that staff would undertake an analysis review of the feasibility of the City owning its own Sound System for Portable Use, rather than renting from a Sound Company as is the present practice.

The Committee then approved its Consent Agenda with Alderman Drury being requested to be noted opposed. The following recommendations were approved:

A. ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the following minutes and approved them as circulated:

Minutes of the regular meeting held Thursday, 1992 December 3rd, the special meeting held Tuesday, 1992 December 8th, and the Special Joint Meeting of the City's Finance and Administration Committee and the Regional Administrative Services Committee held Tuesday, 1992 December 15th.

B. CITY CLERK

(i) SHAIR International - Use of Display Area.

The Committee was in receipt of a report from the City Clerk dated 1992 December 15, respecting the above-noted matter and approved the following:

That approval be given to the request of SHAIR International Resource Centre to display information on SHAIR, consisting of a logo and pamphlets, in the first floor foyer at City Hall for a three week period in 1993 January.

(ii) Westdale Secondary School Art Display.

The Committee was in receipt of a report from the City Clerk dated 1992 December 15, respecting the above-noted matter and approved the following:

(a) That approval be given to the request of Westdale Secondary School to use the east and west areas of the second floor foyer for a display of student work from 1993 May 03 - May 15.

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(iii) Santa Sock '92 Campaign.

The Committee was in receipt of a report from the City Clerk dated 1992 December 15, respecting the above-noted matter and approved the following:

(a) That approval be given to the action taken by the City Clerk in authorizing the Santa Sock '92 Campaign to use the second floor foyer from 12:00 noon to 1:00 p.m. on Tuesday, 1992 December 22 for their annual ticket drawing ceremony.

(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

C. TREASURER

(i) Funding - Proposed construction of sidewalks, curbs and roadway on Forbes Street.

The Committee was in receipt of a report from the Treasurer dated 1992 December 14, respecting the above-noted matter and approved the following:

That as referred to in Section 20 of the First Report for 1993 of the Transport and Environment Committee, the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct concrete sidewalks and curbs and a finished roadway on Forbes Street from approximately 40m south of Blossom Lane to approximately 57m southerly at an estimated gross cost of $47,400. with a City's share of $15,540. to be financed from 1992 Capital Levy and the balance of $31,860., being the Owner's share, to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $31,860. for a term not to exceed 20 years for the above project.

(ii) By-law for the Authorization to borrow monies to cover Temporary Bank Overdrafts in relation to Current Expenditures.

The Committee was in receipt of a report from the Treasurer dated 1992 December 18, respecting the above-noted matter and approved the following:

That the City be authorized to temporarily borrow monies to meet current budget expenditures for 1993 pending receipt of current revenues.

(iii) Status of Unclassified Revenue and Expenditures as at 1992 November 30.

The Committee was in receipt of a report from the Treasurer dated 1992 December 16, respecting the above-noted matter. Following discussion as previously reflected in the minutes, the Committee agreed to **receive** this document for information purposes.

(iv) Status of Hosting, Receptions and Related Accounts.

The Committee was in receipt of a report from the Treasurer dated 1992 December 16, respecting the above-noted matter. Further to the comments reflected in the minutes above-noted, the Committee agreed to **receive** this document for information purposes.

D. HOUSING DEPARTMENT

Closure of Hamilton Housing Company Capital Projects.

The Committee was in receipt of a report from the General Manager of the Housing Department dated 1992 December 4, respecting the above-noted matter and approved the following:

That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
a) 319041005	Ada Pritchard Apts. Heating & Elect.System Repairs	$165,000.00	$ 126,440.11	$ 38,559.89	RCP

RCP - Reserve for Capital Projects

E. COMMISSIONER OF HUMAN RESOURCES

(i) Appointments to and Terminations from permanent positions with the Corporation of the City of Hamilton to 1992 December 16.

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1992 December 14, respecting the above-noted matter and approved the following:

That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1992 December 16, be approved.

With respect to this statement, Alderman Drury requested that a report be brought back to the Committee with respect to the use of the terminology "terminated" versus "resigned" and the distinction between the two, i.e. does terminated mean fired?

(ii) Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local Union 67.

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1992 December 11, respecting the above-noted matter and approved the following:

> That the contract settlement of the Mechanical Contractors Association of Hamilton and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, Local Union 67, be received pursuant to the Fair Wage Policy of the City of Hamilton.

(iii) Ontario Sheet Metal and Air Handling Group and Sheet Metal Workers, Local Union 537.

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1992 December 11, respecting the above-noted matter and approved the following:

> That the contract settlement of the Ontario Sheet Metal and Air Handling Group and Sheet Metal Workers International Association, Local Union 537, be received pursuant to the Fair Wage Policy of the City of Hamilton.

(iv) United Brotherhood of Carpenters and Joiners of America, Local 18.

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1992 December 11, respecting the above-noted matter and approved the following:

> That the contract settlement between the Carpenters Employer Bargaining Agency and The Ontario Provincial Council, United Brotherhood of Carpenters and Joiners of America, Local 18, be received pursuant to the Fair Wage Policy of the City of Hamilton.

(v) Manager, Internal Controls - Taxation Data Base Project.

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1992 December 11, respecting the above-noted matter and approved the following:

(a) That the Manager of Internal Controls be authorized to continue his participation in the Taxation Data Base Project until the project has been successfully implemented; and,

(b) That the incumbent's existing salary, Level "G" of the non-union salary schedule, which was approved by City Council on 1990 December 11, be continued for the term of the Project.

3. CITY CLERK

Selection Procedures for Committees/Boards/Committees.

It was indicated to the Committee that this matter should be referred back to the City Clerk for further refining. The Committee then agreed to refer this matter back.

4. RESOLUTIONS

(a) Town of Newmarket - Provincial Municipal Relations.

The Committee was in receipt of a resolution from the Town of Newmarket, respecting Provincial Municipal Relations and agreed to **receive** the following resolution:

That the following resolution from the Town of Newmarket respecting Provincial Municipal Relations, be received:

WHEREAS the Provincial Government has undertaken initiatives in matters such as the imposition of a landfill site in York Region to serve another municipality, municipal conflict of interest, open local government, apartments in houses and disentanglement which are matters for which local municipal councils are responsible or in which local municipal councils have a considerable interest;

AND WHEREAS these initiatives collectively and individually are evidence that the Provincial Government does not have confidence in local municipal government;

AND WHEREAS local municipal government is better able to be aware of the needs and interests of taxpayers;

AND WHEREAS local municipal councils are more directly accountable to their electorate as a consequence of mandatory municipal elections held every three years;

AND WHEREAS taxpayers look to their local municipal councils for assistance and believe they are accountable for the kinds of matters hereinbefore set out;

AND WHEREAS the Provincial Government cannot be responsible and has shown little interest in hearing or considering the local municipal council message;

AND WHEREAS local councils believe the apparent loss of confidence by the Provincial Government in the ability or willingness of local government to respond responsibly to these kinds of matters is not justified;

BE IT THEREFORE RESOLVED by the Municipal Council of the Corporation of the Town of Newmarket;

THAT the Provincial Government be asked to refrain from implementing any initiatives impacting upon matters of local municipal concern such as land use planning, municipal conflict of interest, disentanglement, amendments to the Municipal Act, and the provision of landfill sites in municipalities to serve other municipalities until there has been meaningful and constructive consultation with local municipalities and that the Provincial Government be advised that local councils do not consider provincial initiatives in these areas to be in the public interest and further that they interfere inappropriately in the traditional mandate and areas of responsibility of local government;

AND THAT this resolution be circulated to all municipalities in the Province of Ontario with a request for endorsation which, if approved, be forwarded to the Premier of Ontario, the Minister of Municipal Affairs, the Minister of Housing and the local area Member of Provincial Parliament.

(b) Township of Kingston - Disentanglement.

The Committee was in receipt of a resolution received from the Township of Kingston, respecting Disentanglement. The Committee agreed to **receive** this resolution as follows:

That the following resolution from the Corporation of the Township of Kingston respecting Disentanglement, be received:

THAT WHEREAS it is recognized that municipal government is the closest and the most accessible level of government with the trust and confidence of its residents; and,

WHEREAS through this trust the resident looks to its local government to represent them and provide the normal services they require in a planned, responsible and efficient manner that places people first; and,

WHEREAS municipal government is in the position to provide such services at the lowest cost; and,

WHEREAS it is in the best interest of the Province, and its residents, to maintain a strong local government; and

WHEREAS the Province and the Association of Municipalities of Ontario have held discussions and consultations on Disentanglement, which will determine which level of government does what, who pays for what, and who is accountable for what and which may result in the Province paying 100% of some services and the municipalities paying 100% for others.

NOW THEREFORE BE IT RESOLVED that the Corporation of the Township of Kingston, by its Council, petitions the Minister of Municipal Affairs to ensure that the process of Disentanglement -

(a) Must, in every case, result in the strengthening of local government; and,

(b) Must enshrine the principle that it is not acceptable to remove municipal government from any program where they are now wholly or in part a provider of services to the residents;

AND FURTHER that copies of this resolution be sent to all municipalities in the Province of Ontario with populations of 5,000 or over as well as to the Premier of Ontario, all area M.P.P.'s and the Association of Municipalities of Ontario.

5. DIRECTOR OF PROPERTY

(a) Emergency Voice Evacuation System.

The Committee was in receipt of a report from the Director of Property dated 1992 December 15, respecting the above-noted matter and approved the following:

(a) That approval be given to retain the services of Hamilton Video & Sound to install an emergency voice evacuation system in City Hall at a cost of $24,897.46; and,

(b) That funding for this expenditure be charged to the Security Account in Capital Funds No. CF 319141004.

(b) Offer to Purchase rear land at 759 Stone Church Road East, Highridge Developments (Hamilton) Limited, Part 10, Registered Plan 62R-12308.

The Committee was in receipt of a report from the Director of Property dated 1992 December 16, respecting the above-noted matter and approved the following:

(a) That an Offer to Purchase, duly executed by Highridge Developments (Hamilton) Ltd. (Bruno Comegna, Treasurer and Bill Robinson, Secretary) on 1992 October 8, and scheduled for closing thirty (30) days after the enactment of a City rezoning by-law, and the successful completion of a land severance application in accordance with the Planning Act, but not later than 1994 October 1, for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 8, Concession 7, in the Geographic Township of Barton, in the City of Hamilton, being irregular in shape, having a length of 54.693 metres (179.438 feet) more or less, by a maximum width of 29.914 metres (98.143 feet) more or less, comprising a total area of 0.14 hectares (0.346 acres) more or less, and shown as Part 1 on Registered Plan 62R-12308, be approved and completed and the funds derived from this sale of $60,000. be credited to the following accounts: $40,328.95 plus interest calculated at the prime rate, plus any costs associated with the closing of this transaction be credited to Account Number LB 5X999 00420 (Special Gift Fund); the remainder of the revenue $19,671.05, less the aforementioned interest and costs, be credited to Account Number CH 4X501 00102 (Sale of Lands - Reserve for Property Purchases); and,

(b) That a certified deposit cheque in the amount of $3,000. be held by the City Treasurer pending Council approval; and,

(c) That this Agreement be conditional upon the Purchaser agreeing to make the necessary applications for rezoning and severance within six (6) months time of acceptance of this Offer by the City; and,

(d) That it be understood and agreed that upon acceptance of this Offer, the Purchaser acting as the City's agent, is authorized to apply for the necessary zoning change and land severance application; and,

(e) That it be a condition of this Agreement that the Purchaser acknowledge that the City may develop for municipal purposes its lands adjacent to the subject lands. The Purchaser covenants and agrees, for itself, its heirs, assigns, and successors not to object in any way to the said development. The Purchaser agrees that it is hereby estopped from exercising any rights which may ordinarily accrue to it regarding the development proposed by the City by virtue of, and as part consideration of the purchase by it of the subject lands. Further, the Purchaser agrees to require the same covenant of non-objection it makes herein from its assigns, and in particular the eventual residential purchasers who would expect to occupy homes on the four (4) lots it is expected will be created by severance and built upon; and,

(f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

6. MUNICIPAL NON-PROFIT (HAMILTON) HOUSING CORPORATION - Composition of the Board of Directors.

The Committee was in receipt of a report from the Secretary of the Municipal Non-Profit (Hamilton) Housing Corporation dated 1992 December 15, respecting the above-noted matter.

Some discussion ensued with respect to this matter and as it was felt that this was premature, the Committee agreed to **table** this report.

Note: Alderman Drury opposed.

Alderman Copps also indicated that she has continued to receive information respecting this Corporation and stressed that she wishes to be taken off the list since she is not a member. It was agreed that the Committee Secretary would ensure that this was done.

7. 1993 USER FEES

(a) Treasurer.

The Committee was in receipt of a report from the Treasurer dated 1992 December 16, respecting the above-noted matter.

The Committee agreed to **receive** this recommendation with Alderman Agro being recorded as opposed.

(b) City Clerk.

The Committee was in receipt of a report from the City Clerk dated 1992 December 18, respecting the above-noted matter.

With respect to the proposed charges for Use of City Hall Facilities by Outside Groups, discussion ensued with respect to this matter and it was agreed that no charge should be levied for this use.

The Committee further discussed the proposed charges for Cab Driver Exam Fees and it was agreed that these Fees would be deleted.

The Committee then approved the report as amended.

Note: Alderman Agro opposed.

(c) Fire.

The Committee was in receipt of a report from the Fire Chief dated 1992 December 16, respecting the above-noted matter and approved the recommendations.

Note: Alderman Agro opposed.

(d) Property.

The Committee was in receipt of a report from the Director of Property dated 1992 December 16, respecting the above-noted matter and approved the recommendation.

Note: Attached to the minutes herewith are these Fees Schedules as approved and reflected in the minutes above.

It should be further noted that the recommendations on User Fees were forwarded to a Committee of the Whole meeting for approval.

Further to the report from the Property Department, with respect to User Fees, some discussion ensued on the future use of the Kenilworth Building presently occupied by the Police Department and Health Department. The Director of Property indicated that the City and Regional Departments are presently being canvased for their future use.

Some discussion then ensued with respect to uses of Civic Buildings that become unoccupied.

ADDED - INVOICE - ASSOCIATION OF MUNICIPALITIES OF ONTARIO

The Chairperson advised that an invoice has been received from the Association of Municipalities of Ontario for the 1993 Membership Fees for the City of Hamilton, in the amount of $13,161.52.

The Committee approved the following:

(a) That the City Clerk be authorized and directed to remit payment to the Association of Municipalities of Ontario in the amount of $13,161.52 for the City of Hamilton's 1993 Membership Fee; and,

(b) That this cost be financed from Account No. CH56011-10032, City of Hamilton Memberships.

ADDED - EXECUTIVE ASSISTANT TO THE MAYOR'S REPORT - CIVIC LUNCHEON - OLYMPIC ATHLETES

The Committee was in receipt of an added report from the Executive Assistant to the Mayor dated 1992 December 15, respecting the above-noted matter. The Committee approved the following:

That the invoice in the amount of $2,442.75 representing the cost of hosting a Civic Luncheon for the Canadian Olympic Athletes on 1992 November 1, at the Hamilton Convention Centre, for which Council approved at it's meeting of 1992 October 27, a cost for this event not to exceed $1,500., be approved and charged to Special Civic Receptions and Dignitaries Hosting Account CH55314-84010.

Note: Alderman Copps opposed.

ADDED - ALDERMAN COPPS - CITY OF HAMILTON CALENDAR

Alderman Copps requested clarification on the origins of a calendar which was distributed to all members of City Council containing sketches of Hamilton City Hall and other landmarks within the City. It was agreed that the Clerk would report back on this matter.

The Committee was in receipt of its Private and Confidential Agenda and approved the following:

That the City of Hamilton settle Ontario Court (General Division) Action No. 25515/91 on the following terms:

(a) That the City pay to the Plaintiff the sum of $4,000. inclusive of all damages, interest, and costs;

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the Law Department;

(c) That Ontario Court (General Division) Action No. 25515/91 be dismissed, as against the Corporation of the City of Hamilton.

(a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 30253/91 by the payment to the Plaintiff, Jo Nichol, of the sum of $10,000., inclusive of all damages, interest and costs.

(b) That the Plaintiffs be required to sign a Full and Final Release in a form satisfactory to the City Solicitor.

(c) That the Ontario Court (General Division) Action No. 30253/91 and any and all crossclaims be dismissed without costs.

ADDED - PROVINCIAL TAXI LICENCES

Some discussion ensued with respect to Provincial Taxi Licence holders taking business away from the local Taxi Industry. The Committee members requested that this matter be raised and Alderman Drury confirmed that this matter will be addressed at the February meeting of the Licencing Committee.

10. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1993 January 7

SCHEDULE OF USER FEES AND OTHER REVENUES — THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE 1992	USER FEE OR CHARGE 1993	% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992 TOTAL BUDGET	1993 TOTAL BUDGET	$ Increase	Increase Due to Fee Inc.	Account #
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
TREASURY DEPARTMENT									
1993 FEES FOR APPROVAL :									
SUNDRY REVENUE									
Subdivision Compliance Letter	22.00	23.00	5%	Council 11/27/90. " that these fees be increased annually	$55,000	$58,550	$3,550	$2,550	CH48006–25320
Local Improvement Enquiries	22.00	23.00	5%	annually for the rate of inflation rounded to the next dollar, to offset the City's administrative and processing costs in		included above			"
N.S.F. Cheques	15.00	16.00	7%	handling these items".	$12,000	$13,870	$1,870	$870	CH47105–25320
TAXATION									
Tax Certificates	16.00	20.00	25%	Comparable with other municipalities.	$176,000	$200,000	$24,000	$40,000	CH45008–25335
Recoveries – Tax Registrations	575.00	585.00	2%	"	$43,130	$52,650	$9,520	$1,200	CH48003–25335
Prior Year's Tax Analysis	25.00	26.00	4%	Council 10/29/91. "Be increased annually for the rate of inflation rounded to the next dollar".	$3,880	$920	($2,960)	$40	CH45010–25335
								$44,660	
1993 NEW FEES FOR APPROVAL:									
Multiple Assessment Listing	–	10.00	100%	New fee proposed.	–	–	–		CHXXXX–25335
Income Tax Letter	–	10.00	100%	New fee proposed.	–	–	–	$5,000	"
Paid–In–Full Letter	–	10.00	100%	New fee proposed.	–				"
Hydro Add–On to Tax Roll – administration fee	–	10.00	100%	New fee proposed.	–	–	–	$5,000	"
PURCHASING DIVISION									
Tender and Proposal Processing Fee – non–refundable charge for issuance of tenders/proposals over $50,000	–	25.00	100%	New fee proposed.				$10,500	
								$20,500	

SCHEDULE OF USER FEES AND OTHER REVENUES

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE 1992 (2)	USER FEE OR CHARGE 1993 (3)	% INCREASE OVER 1992 (4)	EXPLANATION AND/OR COMMENTS (5)	1992 TOTAL BUDGET (6)	1993 TOTAL BUDGET (7)	$ Increase (8)	Increase Due to Fee Inc. (9)	Account # (10)
CLERKS DEPARTMENT									
1993 FEES FOR APPROVAL :									
ADMINISTRATION									
Photocopies – First page	1.00	1.00	0%	No fee increases for 1993.	–	–	–	–	
– Each additional page	0.25	0.25	0%	" "					
								$0	
1993 NEW FEES FOR APPROVAL:									
ADMINISTRATION									
Subscription Service	Free	Actual Cost	100%	New fee.	–	–	–	$15,360	CHXXXX–12004
~~Use of City Hall by Outside Groups~~	~~Free~~	~~Actual Cost~~	~~100%~~	" deleted by F&A 1993 Jan 7.					
Assessment Searches	Free	50.00	100%	"					
Signing of Affidavits	Free	10.00	100%	"					
Letters re: Licence Verification	Free	20.00	100%	"		above			
Fireworks Permits	Free	20.00	100%	"					
Tag Day Permits	Free	20.00	100%	"					
LLBO Municipal Clearance	Free	50.00	100%	"					
Car Dealer Certificate	Free	20.00	100%	"					
~~Cab Driver Exam Fee~~	~~Free~~	~~20.00~~	~~100%~~	" deleted by F&A. 1993 Jan 7.		above			
Smoking Control Signs	Various	4.00	100%	New sign size for 1993 approved by City Council.				$15,360	

SCHEDULE OF USER FEES AND OTHER REVENUES — THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE 1992	USER FEE OR CHARGE 1993	% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992 TOTAL BUDGET	1993 TOTAL BUDGET	$ Increase	Increase Due to Fee Inc.	Account #
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
FIRE DEPARTMENT									
1993 FEES FOR APPROVAL :									
Fire Inspection Fees					$55,000	$56,100	$1,100	$1,100	CH44029-48001
– Copies of Fire Response Reports	16.00	17.00	6%	Two percent increase (rounded).					"
– Written confirmation as to whether or not there are any outstanding orders against property	26.00	27.00	4%	" "					"
– Inspection of a property in relation to a proposed purchase or for licence purposes other than municipal licences:									
(a) private home day-care facilities	31.50	33.00	5%	" "					"
(b) 1 and 2 family dwellings	31.50	33.00	5%	" "					"
(c) other occupancies greater than 4 stories above grade, including L.L.B.O. licence requests	63.00	65.00	3%	" "		included above			"
(d) other occupancies greater than 4 stories and specialized occupancies ie: malls and industrial complexes will be charged at a rate commensurate with area and/or inspection time involved	100.00 to 500.00	102.00 to 510.00	2%	" "					"
			2%	" "					"
Fire Training Complex									
– Based on prior year's costs (plus staff time)	323.30/day	330.00/day	2%		$14,700	$15,000	$300	$300	CH44120-48001
								$1,400	

SCHEDULE OF USER FEES AND OTHER REVENUES

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE 1992 (2)	USER FEE OR CHARGE 1993 (3)	% INCREASE OVER 1992 (4)	EXPLANATION AND/OR COMMENTS (5)	1992 TOTAL BUDGET (6)	1993 TOTAL BUDGET (7)	$ Increase (8)	Increase Due to Fee Inc. (9)	Account # (10)
FIRE DEPARTMENT									
1993 FEES NOT REQUIRING COUNCIL APPROVAL :									
Fire Services – MTC					$25,000	$26,000	$1,000	–	CH43106–48001
– $300/first hour/apparatus									
– $120 each additional half hour or part thereof									
– $300 flat rate fee where services not required nor provided (Volunteer Fire Services will continue to bill at the hourly rate).									
								$0	

SCHEDULE OF USER FEES AND OTHER REVENUES

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE 1992	USER FEE OR CHARGE 1993	% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992 TOTAL BUDGET	1993 TOTAL BUDGET	$ Increase	Increase Due to Fee Inc.	Account #
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
PROPERTY DEPARTMENT									
1993 FEES FOR APPROVAL :									
ADMINISTRATION									
Cost of labour / materials:									
– $1.00 to $99.00	35.00	35.00	0%		$2,000	$5,000	$3,000	–	CH44044–30001
– $100.00 to $200.00	45.00	45.00	0%						"
– $201.00 to $300.00	55.00	55.00	0%						"
– $301.00 to $400.00	65.00	65.00	0%						"
– $401.00 to $500.00	75.00	75.00	0%						"
– $501.00 to $600.00	85.00	85.00	0%						"
– $601.00 to $700.00	95.00	95.00	0%						"
– over $700.00	105.00	105.00	0%						"
								$0	

SCHEDULE OF USER FEES AND OTHER REVENUES

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE 1992 (2)	USER FEE OR CHARGE 1993 (3)	% INCREASE OVER 1992 (4)	EXPLANATION AND/OR COMMENTS (5)	1992 TOTAL BUDGET (6)	1993 TOTAL BUDGET (7)	$ Increase (8)	Increase Due to Fee Inc. (9)	Account # (10)
PROPERTY DEPARTMENT									
1993 FEES NOT REQUIRING COUNCIL APPROVAL :									
RENTALS									
City Hall (Regional Departments – 3 yr. lease Dec.1/91 – Nov.30/94))									
Planning Dep't. (7th Floor)	88,245.30	88,245.30	0%	Three – year lease Dec.1/91 – Nov.30/94.	$636,050	$422,740	($306,690)	–	CH44119–31102
Engineering Dep't. (7th Floor)	40,869.40	40,869.40	0%						"
" (6th Floor)	129,114.70	129,114.70	0%						"
" (5th Floor)	41,941.90	41,941.90	0%						"
" (Basement Vault)	4,400.00	4,400.00	0%						
Total City Hall	304,571.30	304,571.30	0%						
Kenilworth Ave. N. Composite Building									
Police Department	60,295.00	0.00	–100%	Leaving December 31,1992					"
Health Department	10,610.60	10,610.60	0%						"
	70,905.60	10,610.60	–85%						
Upper Wentworth Composite Building									"
Health Department	54,560.00	4,546.67	–92%	Leaving January 1,1993					
Health Building									"
Social Services Department (1st Floor)	63,664.28	31,832.14	–50%	Leaving June 30,1993		included above			"
Social Services Department (2nd & 3rd Floors)	142,349.90	71,174.95	–50%	" "					
	206,014.18	103,007.09	–50%						
Total Annual Rental	636,051.08	422,735.66	–34%						

SCHEDULE OF USER FEES AND OTHER REVENUES

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE 1992 (2)	USER FEE OR CHARGE 1993 (3)	% INCREASE OVER 1992 (4)	EXPLANATION AND/OR COMMENTS (5)	1992 TOTAL BUDGET (6)	1993 TOTAL BUDGET (7)	$ Increase (8)	Increase Due to Fee Inc. (9)	Account # (10)
PROPERTY DEPARTMENT									
RENTALS									
Civic Properties – monthly									
– 563 Aberdeen	261.00	275.00	5%	Landlord & Tenant Act permits inflationary increases.	$202,790	$214,710	$11,920	$11,920	CH44104–31106
– 240 Burlington St.E. (Municipal Storage)	0.00	0.00	0%	Increases effective Jan.1/93.					"
– 52/56 Charlton W. (Big Sisters Assc.)	1,300.00	1,300.00	0%	" "					"
– 499 Charlton E.	458.00	485.00	6%	" "					"
– 107 Graham N.	575.00	610.00	6%	" "					"
– 109 Graham N.	574.00	608.00	6%	" "					"
– 113 Graham N.	421.00	446.00	6%	" "					"
– 48 Holly	421.00	446.00	6%	" "					"
– 50 Holly	395.00	419.00	6%	" "					"
– 375 James S. (Boy Scouts Assc.)	1.00	1.00	0%	" "					"
– 485 John N. (North–end Res. Org.)	0.00	0.00	0%	" "					"
– 401–403 King W. (Ham. Wesley House)	550.00	550.00	0%	" "					"
– 2656 King St. E.	521.00	552.00	6%	" "					"
– 2787 King St. E. (Lower)	268.00	284.00	6%	" "					"
– 2787 King St. E. (Upper)	527.00	559.00	6%	" "					"
– 130 Lawrence	247.00	262.00	6%	" "					"
– 1150 Leaside	389.00	412.00	6%	" "					"
– 112 Province St. N.	450.00	419.00	–7%	" "					"
– 122 Province St. N.	395.00	0.00	–100%	To be demolished. Tenant moving to 112 Province St. N.			included above		"
– 195 Rebecca (Taxi Licence Bureau)	0.00	0.00	0%						"
– 306 Rymal E.	263.00	279.00	6%	Landlord & Tenant Act permits inflationary increases.					"
– 662 Rymal E.	563.00	597.00	6%	Increases effective Jan.1/93.					"
– 1086 West 5th	263.00	279.00	6%	" "					"
– Red Hill School	500.00	500.00	0%	" "					"
Press Club – monthly (amounts weighted average)	734.51	768.30	5%	March 15/91 – March 14/92 = $707.39 Council approved. March 15/92 – March 14/93 = $739.93 March 15/93 – March 14/94 = $773.97					
Credit Union – monthly	6,666.67	6,666.67	0%	5 year lease – Nov.2/91 – Nov.1/96.					CH44103–31109
City Hall Cafeteria – monthly	1000.00 + 10% gross sales	1000.00 + 10% gross sales	0%	5 year lease – April 6/92 – April 5/97.	$27,500	$26,190	($1,310)	$11,920	CH44134–30002

B.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 12

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Robert M. Morrow
Mayor

SUBJECT: **FUNDING: EDMUND C. BOVEY CLINIC AND REGIONAL MEETING**

RECOMMENDATION:

That approval be given for the hosting of an Edmund Bovey Municipal Clinic and Ontario Regional Meeting in Council chambers, City Hall, on February 27 and 28, 1993.

That approval be given for a City contribution from the Civic Receptions and Delegate Hosting budget for hosting purposes in the amount of $3,000 from account # CH 5531484010.

That approval be given for an application to be sent to the Ministry of Municipal Affairs for financial assistance to defray the costs of the Clinic Report being translated into French.

Robert Morrow

Mayor R. Morrow

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

1) There are sufficient funds in Account # CH 5531484010 (Civic Receptions and Conventions Grants Budget) to accommodate this request for a $3,000 grant.

2) The Department of Culture and Recreation (Arts Co-ordinator) will co-organize the event with the staff of Arts and the Cities. A Property Maintenance staff person will be required during the hours of the event.

BACKGROUND:

1) The Edmund C. Bovey Municipal Clinics are held in the four regions of Canada (Ontario, Quebec, the West, the Maritimes) each year. Their purpose is to create a forum for regional discussions about current issues facing cities, their artists and the arts. The format of the clinics generally includes panel discussions and a focus speaker. Recommendations from the clinics are brought forward for consideration and action to a number of different bodies - for instance, municipal and provincial governments and national and regional advocacy bodies - municipal and artistic. A summary report of each clinic is written and distributed following the symposium.

2) The clinics are funded by the host cities and by the national arts organization "Arts and the Cities". This non-profit company is funded by the federal and provincial levels of government, by the private sector, and through the fees of its members.

3) Mayor Robert Morrow, as Co-chair of the Board of Arts and the Cities, is pleased to welcome delegates to Hamilton on February 27 and 28, 1993. The clinic will occupy the entire day on Saturday, while the Ontario regional meeting will occur in a briefer time span on Sunday.

4) Hamilton's Arts Advisory Sub-committee recently reviewed and commented on the Ministry of Culture and Communication's Status of the Artist in Ontario report. Much discussion within the committee was focused on the future of arts education in Ontario - as a direct result of the review of the report. In addition, other community arts groups, concerned educators, and artists have voiced similar concerns about the direction arts education is taking.

5. It was felt that a clinic could be based on this subject to great benefit. Any recommendations ensuing from the clinic's plenary session could be forwarded to both the Ministry of Culture and Communications and to the Ministry of Education. Participating communities, through sharing information about various arts education initiatives and projects, may also find useful models for action in their own communities.

   The Hamilton clinic's topic is "STATUS OF THE ARTIST IN ONTARIO, Arts Education: Alternatives for Artists/Alternatives for Communities."

6. As a host city, Hamilton will be responsible for the provision of meeting space, hospitality, mailings, and recordings of the proceedings. This is estimated not to exceed 3,000.

7. The Ministry of Municipal Affairs, French Services Branch, provides assistance in the form of matching funds: "Section 3.3 Translation from English into French of public documents, whether by municipal staff or outside translators.", through its Municipal Services in French Programme.

C (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 15

REPORT TO: Mrs. S. K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. S. G. Hollowell
Acting City Clerk

SUBJECT: **Black History Month**

RECOMMENDATION:

(a) That approval be given to the request of the Chairperson, Caribbean Potpourri, to use the Council Chamber on Sunday, 1993 February 17 from 1:00 - 4:00 p.m. to mark Black History Month.

(b) That approval be given for the Caribbean Potpourri Committee to use the second floor foyer (east and west) from 1993 February 01 - 08 for a display during Black History Month.

(c) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

S. G. Hollowell

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Caribbean Potpourri will be joining with the Hamilton-Wentworth Roman Catholic Separate School Board African Heritage Programmes to hold a formal presentation to commemorate Black History Month in 1993.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

C(ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 15

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: **Presentation of Canada 125 Commemorative Medals - Use of Council Chambers**

RECOMMENDATION:

(a) That approval be given to the request of Mr. Stan Keyes, M.P. Hamilton West, to use the Council Chamber on Friday, 1993 February 05 at 3:00 p.m. for a presentation ceremony to those 28 recipients being honoured with Canada 125 Commemorative Medals.

Joan Thompson
for J. J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Governor General of Canada, on behalf of her Majesty Queen Elizabeth II, has allocated each Federal Riding a number of Canada 125 Commemorative Medals to honour persons who have made a significant contribution to their fellow citizens, their community or to Canada.

2 ...

Mr. Stan Keyes, M.P. for Hamilton West, received nominations and approval for 28 residents of his constituency. Mr. Keyes is requesting the use of the Council Chamber in order that all 28 recipients and their families may be appropriately seated and honoured at one ceremony.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

D.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 4

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Charlene J. Coutts, Secretary
Advisory Committee on Equitable Representation
on Committees/Boards/Commissions

SUBJECT: **Appointment of Member to the Advisory Committee on Equitable Representation on Committees/ Boards/Commissions**

RECOMMENDATION:

That Tim Nolan be appointed as the Regional Advisory Committee for the Disabled's representative to replace Michelle Laforet on the Advisory Committee on Equitable Representation on Committees/Boards/Commissions.

C Coutts

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

n/a

BACKGROUND:

The composition of the Advisory Committee on Equitable Representation on Committees/ Boards/Commissions includes one representative from the Regional Advisory Committee for the Disabled. Michelle Laforet, who was initially appointed to the Advisory Committee has since resigned and Tim Nolan has been appointed by Regional Council to fill this vacancy.

CITY OF HAMILTON

- RECOMMENDATION -

E. (i)

DATE: 1993 January 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

JAN 14 1993

FROM: D. W. Vyce
Director of Property
Property Department

SUBJECT: **Closure of Property Department Capital Projects**

RECOMMENDATION:

That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
a) 318941016	Energy Conservation Projects (1989)	$ 50,000.00	$ 49,756.87	$ 243.13	Reserve for Capital Projects
b) 319041003	Major Maintenance to Civic Buildings (1990)	250,000.00	249,800.65	199.35	Reserve for Capital Projects
c) 319151002	Central Memorial - Replace Pool Filtration	200,000.00	178,310.08	21,689.92	Reserve for Capital Projects
d) 319151011	City Hall - Fan Plenum Retrofit	90,000.00	89,965.68	34.32	Reserve for Capital Projects - C.U.P.
e) 319151014	C.U.P. - Replacements/ Revisions/New Equipment	70,000.00	69,582.11	417.89	Reserve for Capital Projects - C.U.P.
TOTAL				**22,584.61**	

D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

Energy Conservation Projects (1989)
Major Maintenance to Civic Buildings (1990)
City Hall - Fan Plenum Retrofit
C.U.P. - Replacements/Revisions/New Equipment

The work relating to these projects has been completed and, therefore, the affected accounts can be closed.

Central Memorial - Replace Pool Filtration

The savings realized with this project were a direct result of staff initiative in utilizing a more efficient method of supplying and installing pool filters.

JC/dcr

c.c. A. C. Ross, Treasurer
Treasury Department
Attention: N. R. Adhya

R. Swan, Manager
Building Operations and Maintenance Division
Property Department

J. Cerio
Manager of Administration
Property Department

E (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 11 JAN 14 1993

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: **Agreement for Windows and Door**
Facing Jarvis Street Square
303, 305 and 307 King Street East
Agommen Ltd. and Partners

RECOMMENDATION:

a) That an Agreement, duly executed by Agommen Ltd. (Agostino Ammendolia, President), Shoreline Gardens Ltd. (Fernando Fabiani, President), Pinegate Manufacturing Inc. (Peter Lamarche, President), Fulvio Zanette, John DiCecca, Roman Prus, Annunziato Ammendolia, Gary Santucci, Jack Terrana, Aaron Rifkind and Tony Lucido, owners of 303, 305 and 307 King Street East, on January 7, 1993, allowing the installation of 21 windows and one door, facing the municipal parking lot adjoining their property to the west, be approved. A certified cheque in the amount of $500, to be credited to Account No. CH 4X602 00109, is being held by the Treasurer pending approval of this transaction. This is a one time charge for administration fees.

b) That it is understood and agreed that, should the City of Hamilton require the parking lot for development purposes, the owners shall within thirty (30) days of receipt of written notice from the Corporation of the City of Hamilton remove such windows and door or board up same, entirely at the expense of the owners.

c) That the Mayor and City Clerk be authorized to execute all the necessary documents.

D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

The owners of the property at 303, 305 and 307 King Street East have constructed 21 windows and one door facing the City property to the west (Municipal Parking Lot). This is contrary to the Ontario Building Code as their building is located on the property line.

The Building Department agreed to allow the windows at this location provided the owners entered into the attached agreement.

AC/klb
Attach.

c.c. P. Noé Johnson, City Solicitor, Law Department

Allan C. Ross, Treasurer, Treasury Department

C. Bandurka, Property Clerk, Surveys, Roads Department

L. King, Building Commissioner, Building Department
Attention: S. Rao

P. G. Baker, General Manager, Hamilton Parking Authority

L. King, Building Commissioner, Building Department
Attention: J. Gamble

(31.4.22)


MAIN STREET EAST
JAMES STREET NORTH
WILSON STREET
KING STREET EAST
CANNON STREET EAST
BARTON STREET EAST
MURRAY STREET EAST
ROBERT STREET
WILLIAM STREET
JACKSON STREET
RECESS
CR-3
CR-3/S-473
E-3/S-334
E-3/S-169
E-3
H/S-472
H/S-473
J/S-378
J/S-378c
J/S-378b
J/S-125
AS-657b
D/S-944
L-mr-2
RT-20/S-380
H/S-378
G-3
E-3/S-357
H/S-472a
H/S-460
J/S-378a
J/S-378d
I/S-473
I/S-478
CR-3
H/S-473
H/S-472
CR-3
E-3/S-169
E-3
E-3/S-334
J/S-378
J/S-378
J/S-378

F.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1992 December 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. G. Hindson, P.Eng.
Director of Information Systems

SUBJECT: Payment of 1993 DBS (Dunn and Bradstreet Software)
Invoice (I/S 93-100)

RECOMMENDATION:

a) The 1993 invoice for $122,900.00 (plus GST) from Dunn and Bradstreet Software (formerly Management Science America) be authorized for payment from Account CH 5609X-26021 (User Software).

J. G. Hindson, P.Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Region and the City of Hamilton currently utilize computer software from DBS (Dunn and Bradstreet Software, formerly MSA) for their Human Resources, Payroll/Personnel and Financial Information systems.

Under the terms of the DBS Agreement, each licensee of their products pays an annual maintenance fee for the software. The software maintenance fees entitle each user to software enhancements and upgrades at no cost, software problem bulletins and, in particular, provides for 24 hour support for the software to assist with any difficulties or problems encountered.

In 1993, the maintenance invoice for the DBS software modules in use is $122,900.00 and is due for payment on 1993 January 1.

G. (1)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 13

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Marble Setter, Tile Setters & Terrazzo Worker, Local 31 B (C-006-093)

RECOMMENDATION:

That the contract settlement of the International Union of Bricklayers and Allied Craftsmen and the Ontario Provincial Conference of the International Union of Bricklayers and Allied Craftsmen and the Terrazzo, Tile and Marble Guild of Ontario, Inc., Local Union 31 B be received pursuant to the Fair Wage Policy of the City of Hamilton.

John Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached.

Provincial Agreement for Ontario Marble, Tile, Terrazzo, Cement Masons, Resilient Floor Layers and Their Helpers. The International Union of Bricklayers and Allied Craftsmen and the Ontario Provincial Conference of the International Union of Bricklayers and Allied Craftsmen and The Terrazzo, Tile and Marble Guild of Ontario, Inc., Local Union 31 B

Duration of Agreement - May 1, 1992 to April 30, 1995

Effective May 1, 1992

Classification	Hourly Wage Rate	Vac. Pay	Pens.	Welf.	Total Wage Package
Marble Mason	$24.44	2.44	1.00	.35	$28.63
Terrazzo Tile Mech.	$24.44	2.44	1.00	.35	$28.63
Base Machine Oper.	$23.03	2.30	1.00	.35	$27.08
Floor Machine Oper.	$22.64	2.26	1.00	.35	$26.65
Helper	$22.40	2.24	1.00	.35	$26.39

Effective Sept.1, 1992

Classification	Hourly Wage Rate	Vac. Pay	Pens.	Welf.	Total Wage Package
Marble Mason	$24.66	2.47	1.00	.35	$28.88
Terrazzo Tile Mech.	$24.66	2.47	1.00	.35	$28.88
Base Machine Oper.	$23.25	2.33	1.00	.35	$27.33
Floor Machine Oper.	$22.86	2.29	1.00	.35	$26.90
Helper	$22.63	2.26	1.00	.35	$26.64

Effective May 1, 1993

Classification	Hourly Wage Rate	Vac. Pay	Pens.	Welf.	Total Wage Package
Marble Mason	$25.12	2.51	1.00	.35	$29.38
Terrazzo Tile Mech.	$25.12	2.51	1.00	.35	$29.38
Base Machine Oper.	$23.71	2.37	1.00	.35	$27.83
Floor Machine Oper.	$23.32	2.33	1.00	.35	$27.40
Helper	$23.08	2.31	1.00	.35	$27.14

Effective May 1, 1994

Classification	Hourly Wage Rate	Vac. Pay	Pens.	Welf.	Total Wage Package
Marble Mason	$25.75	2.58	1.00	.35	$30.08
Terrazzo Tile Mech.	$25.75	2.58	1.00	.35	$30.08
Base Machine Oper.	$24.35	2.43	1.00	.35	$28.53
Floor Machine Oper.	$23.95	2.40	1.00	.35	$28.10
Helper	$23.72	2.37	1.00	.35	$27.84

Effective Nov. 1, 1994

Classification	Hourly Wage Rate	Vac. Pay	Pens.	Welf.	Total Wage Package
Marble Mason	$26.39	2.64	1.00	.35	$30.78
Terrazzo Tile Mech.	$26.39	2.64	1.00	.35	$30.78
Base Machine Oper.	$24.98	2.50	1.00	.35	$29.23
Floor Machine Oper.	$24.59	2.46	1.00	.35	$28.80
Helper	$24.35	2.44	1.00	.35	$28.54

G. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 13

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Teamsters Construction Council of Ontario, Local 879, Hamilton (C-007-093)

RECOMMENDATION:

That the contract settlement between the Construction Site Teamsters Employer Bargaining Agency and the Teamsters Construction Council of Ontario, Local 879, Hamilton be received pursuant to the Fair Wage Policy of the City of Hamilton.

John Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached.

Agreement between The Construction Site Teamsters Employer Bargaining Agency and The Teamsters Construction Council of Ontario, Local 879, Hamilton

Duration of Agreement - Sept. 9, 1992 to April 30, 1995

CLASSIFICATIONS

Class #1

Tractor Trailers & Floats, Fork Lifts used to unload Trucks in Warehouse and Compound only, Fuel Trucks and Euclids 25 tons and over, Haulpack Driver, Load Bearing Boom Truck Driver, Checkers & Warehousement.

Effective Date	Regular Hourly Rate	V.P.	H.P.	Welfare	Pension	Total Package
Sept.9/92	$21.54	4%	6%	1.55	1.25	$26.54
May 1/93	$21.95	4%	6%	1.55	1.35	$27.14
May 1/94	$22.45	4%	6%	1.65	1.55	$28.04
Nov.1/94	$22.81	4%	6%	1.65	1.55	$28.44

Class #2

Drivers Pick-up Trucks, Dump Trucks & Flat Trucks up to 15 tons.

Sept.9/92	$21.17	4%	6%	1.55	1.25	$26.15
May 1/93	$21.59	4%	6%	1.55	1.35	$26.75
May 1/94	$22.09	4%	6%	1.65	1.55	$27.65
Nov.1/94	$22.45	4%	6%	1.65	1.55	$28.05

FOREMEN $1.00 per hour over Class #1 Rate.

OVERTIME

All time worked in excess of the regular hours of work provided in Article 7, Sections 7.01 and 7.02 and on Saturdays, Sundays or on any one of the recognized holidays set forth in Article 18, Section 18.01 hereof shall be paid at the rate of Double Time.

G.
(iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 13

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: International Union of Elevator Constructors for Local 90, Hamilton (C-008-093)

RECOMMENDATION:

That the contract settlement between the National Elevator Escalator Association and the International Union of Elevator Constructors for Local 90, Hamilton be received pursuant to the Fair Wage Policy of the City of Hamilton.

John Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached.

National Elevator and Escalator Association and International Union of Elevator Construction, Local No. 90

Duration of Agreement - July 20, 1992 to April 30, 1995

Ontario Provincial Agreement 1992 to 1995

Wage Rate and Benefit Increases Effective July 20, 1992

Elevator Mechanic		$28.05
Vacation Pay		3.37
Pension Plan		2.50
Welfare Plan		0.93
Education Plan		0.085
TOTAL PACKAGE		$34.935
Probationary Helper I	55% of above rate	$15.43
Probationary Helper II	60% of above rate	$16.83
Helper I	70% of above rate	$19.64
Helper II	75% of above rate	$21.04
Improver Helper	80% of above rate	$22.44
Adjuster	112.5% of above rate	$31.56
Mechanic-In-Charge (4-9)	112.5% of above rate	$31.56
Mechanic-In-Charge (10-19)	115% of above rate	$32.26
Mechanic-In-Charge (20+)	117% of above rate	$32.82

Wage Rate and Benefit Increases Effective May 1, 1993

Elevator Mechanic		$29.11
Vacation Pay		3.49
Pension Plan		2.50
Welfare Plan		0.93
Education Plan		0.085
TOTAL PACKAGE		$36.115
Probationary Helper I	55% of above rate	$16.01
Probationary Helper II	60% of above rate	$17.47
Helper I	70% of above rate	$20.38
Helper II	75% of above rate	$21.83
Improver Helper	80% of above rate	$23.29
Adjuster	112.5% of above rate	$32.75

Mechanic-In-Charge (4-9)	112.5% of above rate	$31.75
Mechanic-In-Charge (10-19)	115% of above rate	$33.48
Mechanic-In-Charge (20+)	117% of above rate	$34.06

Wage Rate and Benefit Increases Effective May 1, 1994

Elevator Mechanic		$30.37
Vacation Pay		3.65
Pension Plan		2.50
Welfare Plan		0.93
Education Plan		0.085
TOTAL PACKAGE		$37.535
Probationary Helper I	55% of above rate	$16.70
Probationary Helper II	60% of above rate	$18.22
Helper I	70% of above rate	$21.26
Helper II	75% of above rate	$22.78
Improver Helper	80% of above rate	$24.30
Adjuster	112.5% of above rate	$34.17
Mechanic-In-Charge (4-9)	112.5% of above rate	$34.17
Mechanic-In-Charge (10-19)	115% of above rate	$33.93
Mechanic-In-Charge (20+)	117% of above rate	$35.53

G. (iv)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton (C-009-093)

RECOMMENDATION:

That the attached listing of Appointments To and Terminations From Permanent positions with the Corporation to January 11, 1993 be approved.

J. Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The new position identified on the appointments list has been provided for in the budget of the respective department.

BACKGROUND:

Attached.

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Pat Dambrosio	Gardener I	Public Works	Retired	21 years, 5 months	31/12/92
Mr. Giuseppe DiLuca	Yardsperson	Public Works	Retired	22 years, 5 months	31/12/92
Mr. Dave Hockley	Gardener II	Public Works	Resigned	1 years, 1 month	31/12/92
Ms. Dianne Slaman	Stenographer I	Traffic	Resigned	4 years, 7 months	11/12/92
Mr. Donald Taylor	Facility Supervisor	Culture & Recreation	Deceased	28 years, 7 months	22/12/92

Prepared 11/01/93

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. David Adames	Cultural Marketing Co-Ordinator (N)	Culture & Recreation	New Position Council Approved - November 10, 1992	$37,794.64 to $44,568.68	31/12/92
Mr. Mark Andrechek	Gardener III/Rink II (1)	Culture & Recreation	Replacing Mr. B. Vukmanich - promoted	$33,510.88	07/12/92
Mr. James Cardwell	Platoon Chief (C-12)	Fire	Replacing Mr. G. Peace - promoted	$72,764.50	13/12/92
Mr. H. Allan Chalmers	Platoon Chief (C-12)	Fire	Replacing Mr. D. Wishart - retired	$72,764.50	13/12/92
Mr. Steve Popovich	Motor Mechanic III (D20B)	Public Works	Replacing Mr. A Arsenault - promoted	$35,372.48	07/12/92

Prepared 11/01/93

H.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 4

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Charlene J. Coutts, Secretary
French Sub-Committee

SUBJECT: **Francophone Association of Municipalities of Ontario - 1993 Membership Fees**

RECOMMENDATION:

a) That the City of Hamilton renew its membership for 1993 with the Francophone Association of Municipalities of Ontario; and,

b) That the Finance and Administration Committee recommend the method of financing for the 1993 membership fee in the amount of $700.00.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

C Coutts

$700.00 - method of financing to be determined.

BACKGROUND:

The City of Hamilton has been a member of the Francophone Association of Municipalities of Ontario since 1991.

Attached for the Committee's information is a copy of the Association's most recent Newsletter entitled "L'AFMO vous informe" dated 1992 November.

Attached

cc Allan Ross, Treasurer

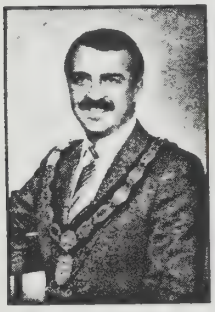
L'AFMO vous informe

Bulletin d'information de l'Association française des municipalités de l'Ontario
235, chemin. Montréal, Vanier, (Ontario)l, K1L 6C7

Volume 1, numéro 3 **Novembre 1992**

Message du président

"Le recrutement, c'est l'affaire de tous"



Recruter des membres pour notre Association c'est l'affaire de chacun d'entre nous. Si nous voulons assurer une représentation forte et accrue auprès de nos gouvernements, si nous voulons être entendus et surtout écoutés il nous faut une Association dont les rangs sont représentatifs de la francophonie ontarienne.

Selon le plan stratégique adopté lors de notre dernière rencontre annuelle, il faut qu'en 1994 nous comptions un membership de plus de 150 municipalités. Pour y arriver le Bureau de direction doit compter sur les efforts collectifs des membres actuels. De leur côté les membres du BD amorcent la campagne en approchant les municipalités dans les environs de leur ville respective.

Pour ma part, à l'occasion d'une tournée provinciale, j'ai rencontré un nombre important de maires, de conseillers et de gestionnaires à qui je me suis fais un devoir de remettre des trousses de renseignements de l'AFMO.

Faire connaître l'AFMO, en parler et surtout en être fier sont les bases mêmes d'un recrutement prometteur. Entendons-nous bien que le recrutement est un processus continu qu'il ne faut jamais interrompre si nous voulons assurer la survie de notre Association.

Bureau de direction, 1992-1993

Il me fait plaisir de vous présenter les membres du Bureau de direction qui dirigeront les destinées de notre Association durant 1992-1993.

PRÉSIDENT:	Yves Drouin, Maire, ville de Hawkesbury
VICE-PRÉSIDENT:	Aurel Gervais, Conseiller, ville de Welland
DIRECTEURS:	
-Secteur #1:	Richard Cantin, Conseiller, ville de Gloucester Robert Madore, Conseiller, ville de Vanier
-Secteur #2:	Aimé Lepage, Sous-préfet, canton de Clarence Roger Ravary, Préfet, canton de Longueil
-Secteur #3:	Lionel Lalonde, Maire, ville de Rayside-Balfour Claude Laflamme, Administrateur en chef, ville de Hearst Lise Ouelette, Conseillère, canton de Val Rita-Harty
-Secteur #4:	Poste vacant
-Secteur #5:	David Tremblay, Conseiller , canton de Tilbury Nord

AFMO is intensifying its recruiting campaign. The president stresses the importance of enlarging AFMO's ranks to ensure proper representation for the Francophone community of Ontario.

Yves Drouin,
président de l'AFMO
et Maire de Hawkesbury

? *QUELLE IMPORTANCE DOIT-ON ACCORDER AUX RELATIONS MÉDIATIQUES DU CONSEIL MUNICIPAL?*

Les relations entre les médias et les Conseils municipaux sont souvent tendues et insatisfaisantes. Une grande compétition existe entre les divers paliers gouvernementaux pour se mériter une couverture médiatique. Les municipalités auraient beau jeu d'établir une politique de communication éfficace ou d'améliorer toute politique existante afin de valoriser les relations entre les deux groupes. Les critères suivants pourraient en faire partie:

- Savoir reconnaître ce qui doit être publ[illegible] faisant bien ressortir d'une publication les points d'importance qui de prime abord n'attirent pas l'intérêt des médias.

- Être familier avec les heures et les dates de tombée auxquelles doivent faire face les journalistes. Lors de conférences de presse ou tout autre mode de communication s'assurer que les journalistes disposent de suffisamment de temps pour "digérer" l'information transmise avant d'écrire leur reportage.

- Ne jamais douter de l'intelligence des journalistes. Expliquer clairement pourquoi telle ou telle question ne peut être répondue. Mettre les journalistes au courant des différents dossiers à l'étude par le Conseil et des moyens d'exploitation de la municipalité.

- Ajouter aux listes d'envois les noms des médias de votre localité: hebdos, quotidiens, radio, télévision. Faire parvenir dans un délai raisonnable une copie de l'ordre du jour des réunions du Conseil à la personne responsable dans chacun des médias concernés.

- Ne pas jouer aux préférences. Inclure tous les médias pour toutes les publications de co[illegible] niqués.

(suite à la page 2)

Articles published in this issue are available in English in consideration of the translation fees (613) 749-8546

RELATIONS MÉDIATIQUES...

suite de la page 1

- Établir une politique sur la publication de communiqués de presse.

- Il est inutile de discuter avec les médias. Il vaut mieux laisser les feux s'eteindre d'eux-mêmes. Il serait avantageux aux municipalités de développer une politique de relations extérieures qui réponde à leurs besoins et à leurs ressources humaines et financières. Cette politique pourrait se traduire en l'établissement d'un bureau de services en matière de communication ou encore dans la formation des chefs de services en relations médiatiques.

Les communiqués de presse

Une politique relativement à la publication de communiqués de presse assurera que:

- Les médias soient informés des réunions du conseil et des raisons des réunions à huis-clos.

- l'information transmise aux médias soit identique à celle remise aux membres du Conseil avant la tenue des réunions.

- les médias soient renseignés sur le cheminement des dossiers afin de leur permettre de mieux comprendre les décisions prises par le Conseil.

- des relations d'affaires soit établies entre le Conseil et les médias.

- tout commentaire soit fait avec jugement et discrétion.

Relationship with members of the press, both written and electronic, have always been found delinquent by a majority of elected officials and municipal staff. Here are guidelines which should help alleviate friction between these two groups.

A-C-T
ABORDABILITÉ ET CHOIX TOUJOURS

Le programme A-C-T s'adresse à tous ceux qui se préoccupent de la question du logement et qui souhaitent voir le coût du logement se maintenir à un niveau abordable avec une qualité et un choix convenables.

Cela comprend notamment les gouvernements, l'industrie de la construction et les promoteurs fonciers ainsi que les groupes de citoyens. Il n'existe pas de solution ni de méthode unique pour régler les problèmes qui se posent. Les groupes locaux doivent travailler en étroite collaboration afin de cerner les problèmes de logement, de s'entendre sur les solutions à adopter et de mettre en oeuvre des mesures communes.

Le programme A-C-T est parrainé par la Société canadienne d'hypothèques et de logement et ses activités sont dirigées par:

- La Fédération canadienne des municipalités;
- L'Association canadienne des constructeurs d'habitations;
- L'Association canadienne d'habitation et de rénovation urbaine.

Pourquoi faut-il réformer les règlements ?

Les gouvernements municipaux et provinciaux ainsi que les autorités fédérales élaborent des politiques, des normes et des procédures qui régissent la production et l'exploitation des logements et des terres. Ces "règlements" ont une grande portée. D'une part, ils affectent le coût et le type de logements à la disposition des Canadiens. D'autre part, ils exercent une très forte influence sur une multitude d'organismes, que ce soit dans l'industrie de la construction ou auprès des gouvernements municipaux, provinciaux et fédéral.

Les règlements et les procédures d'autorisation ont été élaborés pour protéger la santé et la sécurité du public et pour permettre une saine gestion des terres et du logement. Ils soulèvent cependant plusieurs préoccupations.

- Des règlements caducs en matière de construction et d'utilisation du sol empêchent souvent le recours à des méthodes efficaces de développement, de planification et de construction.

- Des procédures d'approbation peuvent occasionner des retards nuisibles et laisser le public sous l'impression qu'on l'ignore.

- Les règlements qui régissent la construction et le développement empêchent souvent l'adoption de méthodes novatrices en matière d'habitation qui seraient mieux adaptées aux changements dans la composition et la taille des ménages et dans le mode de vie des Canadiens.

- Les dépenses occasionnées par la sur-réglementation sont transmises aux consommateurs qui risquent alors de ne plus pouvoir louer ni acheter un logement convenant à leurs besoins.

Comment réaliser la réforme réglementaire ?

Pour réaliser la réforme réglementaire, il faut examiner les règlements et procédures en vigueur qui influent sur le logement et les améliorer le cas échéant. La réforme réglementaire

(suite à la page 4)

GLANURES...

L'AFMO au Nouveau Brunswick

Yves Drouin, président de l'AFMO, et maire de Hawkesbury, avait été invité à adresser la parole lors de la session d'ouverture du troisième Congrès de l'Association des municipalités du Nouveau-Brunswick qui se tenait en octobre dernier.

C'est en des termes non-équivoques que le président apportait le message de l'AFMO. "Dans le contexte économique actuel, disait-il, alors que plus de responsabilités sont transférées aux municipalités par les provinces, sans toutefois en augmenter les ressources financières, il faut apprendre à se donner la main de l'Atlantique au Pacifique, à resserrer les rangs et à travailler davantage en partenariats afin que nos communautés ne soient d'aucune façon privées de services essentiels, ni assujetties à un mouvement rétrograde indu qui risque de détruire tous les efforts apportés à leur épanouissement et à leur enrichissement".

Il terminait son allocution en invitant les congressistes à "...continuer à travailler au bien-être accru de chacune de vos communautés respective afin de réussir à positionner vos municipalités pour un avenir prospère et harmonieux dans un Canada fort, uni et renouvelé".

Présence de l'AFMO

L'AFMO renouvelle sa présence et son droit de parole au sein de la FCM et de l'AMO. De fait, les membres de la FCM et d'AMO réunis en congrès réélisaient le président de l'AFMO Yves Drouin pour siéger sur leur Bureau de direction respectif. **Félicitations, monsieur le président!**

Congrès 1993

Lors de sa dernière rencontre, qui avait lieu les 18 et 19 septembre derniers, les membres du Bureau de direction de l'AFMO nommaient M. Robert Madore, conseiller de la ville de Vanier, comme président du quatrième Congrès annuel de l'AFMO. Ce Congrès se tiendra en toute probabilité à Toronto vers la fin-août 1993, soit dans la semaine qui précède le congrès de l'AMO.

Merci de l'appui!

Le président et tous les membres de l'AFMO remercient les municipalités qui ont bien voulu appuyer ouvertement la position de l'Association face à la résolution de la ville de Mississauga, presentée lors du congrès de l'AMO, qui visait à bannir les enseignes bilingues en Ontario. Grâce à toutes ces municipalités la résolution n'a pas connu de suite. La francophonie ontarienne vous dit **"MERCI"**.

"Glanures" (Bits & pieces) is a recurrent column in AFMO's newsletter wherein general news about members and activities of the Association are published for membership information.

La Direction des services en français...

...est fière de vous présenter le *Répertoire des documents municipaux en français*. Cet ouvrage renferme un inventaire d'études, de formulaires et de dépliants produits en français par les municipalités des régions désignées (selon la définition de la Loi de 1986 sur les services en français). Ces documents touchent à tous les champs de la gestion municipale, depuis les services administratifs et financiers juqu'aux services sociaux, en passant par les services de santé.

Ce répertoire est un outil qui devrait s'avérer très utile aux municipalités désireuses de s'inspirer des publications qui y sont contenues pour produire leurs propres documents. Il permettra également de réduire le coût de la production de documents en français, surtout si l'on tient compte des économies réalisables au niveau de la recherche et de la traduction.

Cet ouvrage s'inscrit dans le cadre d'un effort continu déployé par la Direction des services en français pour améliorer le service à la clientèle. Il témoigne en outre de l'engagement de la Direction à donner aux municipalités les outils qui leur permettront de répondre aux besoins de leurs citoyens.

**LA PAROLE EST À NOUS...
ET NOUS POUVONS LE FAIRE EN FRANÇAIS.
C'EST NOTRE DROIT!**

POUR PLUS DE RENSEIGNEMENTS, COMMUNIQUEZ AVEC

ONTARIO 1992
C.P. 995
TORONTO (ONTARIO) M4Y 2N9

ou composez sans frais le 1-800-268-4281 ou à Toronto, composez le 314-9011

Le "jargon" municipal en français

Nous continuons ici le répertoire de termes municipaux avec lesquelles nous éprouvons souvent certaines hésitations lorsqu'il s'agit de les exprimer en français:

Voici quelques exemples ayant trait à **l'administration municipale** en général:

Halfway house	centre de réadaptation
Hard copy	copie imprimée
Hard services	services des équipements publics
Hardship relief	mesure d'assistance
Have the floor, to	avoir la parole
Hazard lands	zones de contraintes
Hazardous wastes	déchets dangereux
Head of the household	chef de famille
Head office	siège social
Health facility	établissement de santé
Hearing	audience
Heritage easement	servitude culturelle
High rise	tour
Highway system	réseau routier

Ces expressions sont extraites du Lexique des affaires municipales de l'Ontario. Quiconque désire se procurer une copie de ce lexique peut communiquer avec le bureau de sa région du ministère ou avec le bureau de Toronto au (416) 585-4032.

This is a regular column intended for french-speaking officials or staff. It is the french translation of words and expressions us currently when dealing with municipal concerns and with wh users experience difficulties. They are drawn from the Ontario Municipal Affairs Lexicon.

ABORDABILITÉ ET CHOIX TOUJOURS

suite de la page 2

a pour objet de réduire le coût du logement et de mieux exploiter le logement existant. Ces réformes peuvent aussi favoriser l'adoption de nouveaux modes de logement et la mise au point de nouvelles techniques de construction et de développement communautaire, ce qui permettrait de mieux répondre aux besoins en matière de logement et d'en réduire les coûts.

Comment A-C-T peut-il contribuer à ce processus ?

A-C-T — abordabilité et choix toujours — est un programme qui vise à favoriser la réforme réglementaire au niveau local c'est-à-dire au sein de votre collectivité.

• La plupart des règlements d'utilisation du sol et de construction sont établis et gérés par les autorités locales.

• De nombreux règlements provinciaux sont appliqués par les autorités locales.

• Les politiques locales d'utilisation du sol définissent le type de logement autorisé selon l'emplacement.

• Les règlements de zonage municipal précisent les dimensions des habitations et les distances qui doivent les séparer, le nombre de pièces et leurs dimensions, la disposition de l'habitation sur le terrain et le type de matériaux de construction que l'on doit utiliser.

• Encourager et parrainer des projets pilotes afin d'illustrer par des exemples pratiques comment résoudre les problèmes de logement de la communauté.

• Collaborer à la réalisation de projets qui visent à améliorer les processus locaux d'approbation.

• Informer le public des projets qui se déroulent ailleurs afin de favoriser l'échange d'idées et d'expériences.

Que puis-je faire ?

• Prendre conscience des besoins en matière de logement dans l'entourage immédiat (enfants, parents, amis) et de ceux qui ont des besoins particuliers, c'est-à-dire les personnes âgées, les parents seuls, les handicapés et les personnes à faible revenu.

• Se renseigner au sujet des divers types de logements qui sont susceptibles de satisfaire des besoins (ex.: maisons-jardins, maisons préfabriquées, logements convertibles, appartements accessoires, logements de densification).

This article gives the outline of the A-C-T program (Affordability and Choice Today) that deals with meeting the housing needs of the community. The program is sponsored by Canada Mortgage and Housing Corporation.

Le plan stratégique 1992-1994

Un sommaire

Lors de son troisième Congrès annuel de juin 1992, l'AFMO se dotait d'un plan stratégique d'action pour la période de janvier 1992 à décembre 1994, soit trois ans.

L'objectif global de ce plan d'action vise à assurer une association forte et autonome. Cet objectif sera atteint en établissant une politique de recrutement tangible afin de favoriser une représentation forte auprès du gouvernement ainsi qu'auprès des organismes franco-ontariens pertinents et des associations homologues. Toujours selon son plan stratégique l'AFMO devrait atteindre150 membres en 1994.

Il en découle donc que pour assurer la réaslisation de l'objectif global les objectifs secondaires suivants devront être atteints.

• accroître les appuis tangibles aux municipalités-membres dans la mise en place des services en français;

• faire valoir les avantages de reconnaître et d'appuyer la communauté francophone sur le plan économique et sur le plan social;

• augmenter la visibilité des élus municipaux et de l'AFMO dans les médias et les relations des élus avec la communauté;

• offrir une formation professionnelle pertinente et appropriée aux besoins à l'intention des élus et de la communauté intéressée par la politique municipale;

• promouvoir l'engagement et la visibilité des francophones sur le plan économique;

• faire valoir des activités qui valorisent la francophonie en tant que culture contemporaine et rentable au niveau municipal;

• sensibiliser les anglophones de la scène municipale à la volonté des francophones de participer à l'essor de l'Ontario et de vivre en harmonie;

• sensibiliser le Québec à la vie communautaire active de la communauté francophone de l'Ontario.

Le plan stratégique se veut le résultat d'un exercice de planification participative. C'est à partir de ces directions que l'AFMO pourra élaborer sa programmation annuelle.

Vous pouvez obtenir une copie du texte intégral du Plan stratégique 1992-1994 en communiquant avec le bureau de l'AFMO au 235, chemin Montréal, Vanier (Ontario), K1L 6C7, Tél.: (613) 749-8546, Téléc.: (613) 749-6660.

At its last Annual Meeting AFMO adopted the implementation of a triennial Strategic Plan. This is a condensed version of the original document. *The complete document can be obtained from the office of AFMO at 235, Montreal Road, Vanier, Ontario, K1L 6C7. Tel.: (613) 749-8546, Fax: (613) 749-6660.*

RECHERCHE ET RÉDACTION : LE GROUPE G.M.G.
CONCEPTION ET MONTAGE : INTER HEBDOS inc.

I.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1992 December 30

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Allan C. Ross
Treasurer

SUBJECT: **Francophone Association of Municipalities of Ontario - 1993 Membership Fees**

RECOMMENDATION:

That the cost of 1993 Membership Fees of $700.00 be financed from the Unclassified Account Centre No. CH24201.

Allan C. Ross

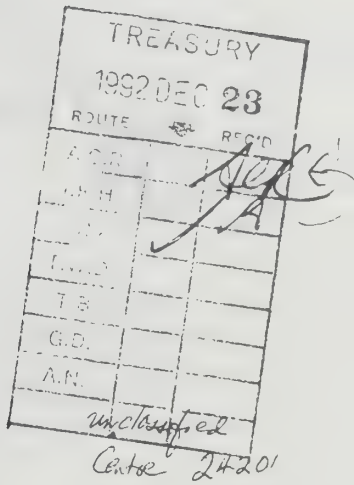
FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

It should, however, be noted that the 1993 Budget for Unclassified Expenditures has not yet been finalized. The 1992 provision for Unclassified Expenditures was reduced to $65,000 from the previous year's (1991) estimate of $75,000.

BACKGROUND:

Enclosed is a letter from Ms. C.J. Coutts, Secretary, Local Architectural Conservation Advisory Committee, dated December 22, 1992 outlining the request for financing.

NRA:jc
Attach.



CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1992 December 22

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Charlene J. Coutts, Secretary
Local Architectural Conservation
Advisory Committee

SUBJECT: **Francophone Association of Municipalities of Ontario - 1993 Membership Fees**

RECOMMENDATION:

a) That the City of Hamilton renew its membership for 1993 with the Francophone Association of Municipalities of Ontario; and,

b) That the Finance and Administration Committee recommend the method of financing for the 1993 membership fee in the amount of $700.00.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

$700.00 - method of financing to be determined.

BACKGROUND:

The City of Hamilton has been a member of the Francophone Association of Municipalities of Ontario since 1991.

Attached for the Committee's information is a copy of the Association's most recent Newsletter entitled "L'AFMO vous informe" dated 1992 November.

Attached

c.c. Allan Ross, Treasurer

G.(a)

THE CORPORATION
OF THE
TOWN OF CALEDON

Box 1000, Caledon East, Ontario. L0N 1E0

Telephone:
416-584-2272
Georgetown and Erin
exchanges use
Zenith 86130
FAX 416-857-7217

December 8, 1992

Dear Mayor/Reeve & Members of Council,

RE: Provincial 'Down Loading'

The Council of the Town of Caledon recently adopted a motion to freeze the mill rate in an attempt to contain the ever escalating burden on property taxes, as a result of down loading and fiscal irresponsibility on behalf of school boards and the Province of Ontario.

Premier Rae continues to decrease the Provincial share of education costs while increasing legislated requirements, causing municipalities to pick-up the difference for the Boards through increased municipal taxes.

Increasing tax arrears and powers of sale properties are a distinct sign that the burden on tax payers has reached the saturation point.

I urge you to support Caledon's position by sending a personal letter to Premier Bob Rae and a copy to the Honourable Floyd Laugren expressing your support and endorsement of this resolution.

Yours truly,

Norman Calder
Mayor
TOWN OF CALEDON

To all
for com.

:wc
Enclosures
C179.coun

Origin

Staff	
Council	✓
Region	
Ministry	
Other	

TOWN OF CALEDON

DATE: December 9, 1992

Moved by: J.R. Whitehead Seconded by: G. Holden

WHEREAS the Honourable Floyd Laughren, the Provincial Minister of Treasury and Economics, indicated recently, in the legislature, that the Government of Ontario is in serious financial difficulty and that the Municipalities and Boards of Education will be expected to shoulder a higher burden of taxation in 1993; and,

WHEREAS many of the increased costs in the local government are the direct result of Provincial legislation, policy and initiatives such as, but not limited to:

- provincial arbitration awards for salaries and benefits that exceed provincial guidelines; and,
- welfare and related expenses that are 20% chargeable to municipal taxation; and,
- additional costs related to bill 40; and,
- continuing reductions in provincial cost sharing particularly in education; and,
- increased requirements for mandatory programs without matching provincial dollars; and,

WHEREAS rising levels of tax arrears and aged tax arrears, increasing calls for tax relief from property tax payers and higher numbers of homes for sale and powers of sale indicate that local taxation levels are at, or beyond, the ability of rate payers to support; and,

WHEREAS it is the local municipality that must tax the property owner for the municipal share of revenue not only for itself but also the Region (or County), Boards of Education, and special use bodies such as Library Boards and Conservation Authorities; and,

WHEREAS the property owner has no recourse except to pay municipal taxation or risk the loss of property and assets; and,

WHEREAS there is a growing disenchantment with the political leadership's ability, at all levels, to control and prevent increases in taxation; and,

WHEREAS there are more calls for a tax revolt among taxpayers;

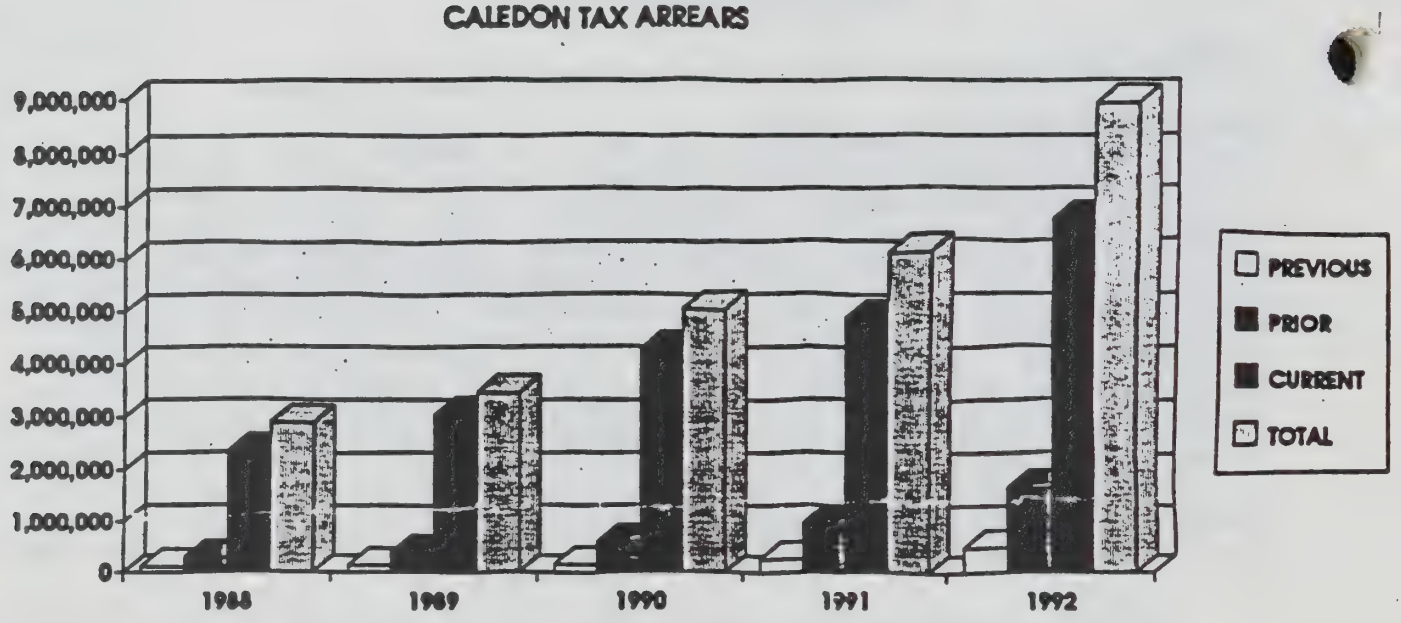
NOW THEREFORE the Council of the Town of Caledon puts on notice the Province of Ontario, the Region of Peel, The Peel Board of Education, The Dufferin Peel Roman Catholic Separate School Board, and all other Agencies, Boards and Commissions, who derive revenue from property taxes, that it will not increase mill rates or send out bills or attempt to collect additional levies or demands resulting from reductions in Provincial support payments, increases or changes in Provincial legislation, policies or initiatives, changes in mandatory requirements, provincial arbitration awards or any other measure designed by the Province of Ontario to down load additional costs to municipal tax payers or to increase the cost of local government; and,

FURTHER THAT all municipalities in Ontario be sent a copy of this resolution and be asked to endorse this position.

Carried

Mayor: _____

CALEDON TAX ARREARS



QUICK FACTS:

CURRENTLY THE EQUIVALENT OF 1 IN 5 PROPERTY OWNERS ARE IN ARREARS OF THEIR TAXES	ARREARS HAVE INCREASED 58% IN JUST FOUR YEARS
24% OF THEM ARE IN THEIR SECOND YEAR OF ARREARS	CURRENT ARREARS HAVE RISEN 38% IN JUST ONE YEAR
7% OF THEM ARE IN THEIR THIRD YEAR OF ARREARS.	IF THE TREND CONTINUES THE ARREARS COULD BE AS HIGH AS OVER 12 MILLION DOLLARS BY THIS TIME NEXT YEAR

CALEDON MUST PAY THE BOARDS OF EDUCATION AND THE REGION OF PEEL IN FULL AND ON TIME EVEN IF IT HAS NOT COLLECTED THE TAXES.

PROPERTY TAXES RISEN 54% IN JUST FIVE YEARS AND TAXES ARE CLEARLY BEYOND THE PEOPLE'S ABILITY TO PAY

20% OF THE BUDGETS OF MUNICIPALITIES AND BOARDS OF EDUCATION ARE SUPPORTED THROUGH TEMPORARY BORROWINGS

TOWN OF CALEDON

Taxes and Penalties Outstanding

As At October 31st of Respective Years Indicated

Year	Current	Prior Year's	Previous Year's	Total Outstanding	Total % Outstanding
1992	6,749,299	1,671,674	501,787	8,922,760	19.1%
1991	4,890,937	966,409	269,592	6,126,938	15.0%
1990	4,284,741	613,966	164,796	5,063,503	13.4%
1989	3,039,509	303,316	116,110	3,458,935	10.9%
1988	2,345,679	416,034	139,758	2,901,471	11.5%

Yearly Tax Increases

Public School Supporter

1988	9.3%
1989	17.0%
1990	13.5%
1991	5.3%
1992	9.7%

/TxPenOS

12-08-1992 08:37AM FROM Richard Whitehead TO CALEDON P.02

The Corporation of the
City of Burlington

City Hall:
426 Brant Street, Burlington, Ontario, Canada
Mailing Address:
P.O. Box 5013, Burlington, Ontario, Canada L7R 3Z6

Telephone: (416) 335-7699
Fax No.: (416) 335-7881

6.(b.)

REF'D. TO ..... DATE .....
REF'D. TO ..... DATE .....
ACTION: F.Y.A.

November 24, 1992

Mr. Joseph Schatz, Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Schatz:

SUBJECT: Unsolicited, Unaddressed Mail
File: 180-03

The Council of the Corporation of the City of Burlington at its regular meeting held on Monday, November 23, 1992 enacted the following resolution being Item No. PW-407-92:

WHEREAS unsolicited, unaddressed mail is increasingly becoming a waste management problem for municipalities;

AND WHEREAS the Federal Government through its Green Plan has made a commitment to Sustainable Development with waste reduction as a key objective;

AND WHEREAS Canada Post, a Federal Crown Corporation contributes to the unsolicited, unaddressed mail problem by delivering over 3.5 billion pieces of unsolicited, unaddressed mail each year;

AND WHEREAS significant numbers of citizens do not wish to receive unsolicited, unaddressed mail;

AND WHEREAS Canada Post is obligated to deliver unsolicited, unaddressed mail due to their mandate;

AND WHEREAS many private distributors of unsolicited, unaddressed mail would like to respect citizen's wishes but in doing so, are put at a competitive disadvantage with Canada Post;

BE IT HEREBY RESOLVED that the Council of the Corporation of the City of Burlington request the Federation of Canadian Municipalities (FCM) to petition the Minister responsible for

....continued/

Canada Post to amend the Postal Act and the corresponding Regulations to allow environmentally concerned Canadians the right to refuse unsolicited, unaddressed mail before it is delivered;

and that the City Clerk be directed to forward this resolution to Ontario Municipalities with a population over 50,000 for consideration and endorsement.

Please present this resolution to your Council for consideration and endorsement.

Yours truly,

Helen MacRae
EXECUTIVE DIRECTOR, INFORMATION
SERVICES, AND CITY CLERK

AS/jr
6117-CL2(10)

THE CORPORATION OF THE CITY OF LONDON

DEPARTMENT OF THE CITY CLERK
K.W. SADLER, CITY CLERK

OFFIC 6.(c)
REC'D
REF'D
REF'D
REF'D TO ..... DATE .....
ACTION F.Y.A.

December 22, 1992

The Honourable Marion Boyd
Minister of Community and Social Services
Hepburn Block, Queen's Park
Toronto, Ontario
M7A 1E9

Dear Honourable Minister:

I hereby certify that the Municipal Council, at its session held on December 21, 1992, resolved:

2. That the action taken by the Municipal Council on August 4, 1992 in having adopted clause 4 of the 17th Report of the Community and Protective Services Committee (attached hereto) indicating the fact that it is the position of the Municipal Council that sheltered workshops should continue as a program of choice within the social services system **BE REAFFIRMED** and that the Honourable Marion Boyd, Minister of Community and Social Services, be so advised; and further, that a copy of this resolution **BE FORWARDED** to the local Members of the Legislative Assembly and to the Association of Municipalities of Ontario for their endorsement and support; and further, notwithstanding Council Policy 5(10), a copy of this resolution also **BE FORWARDED** to all Ontario municipalities with a population in excess of 50,000 residents for their endorsement and support, together with the request that they advise the Minister of Community and Social Services, their local Members of the Legislative Assembly and the Association of Municipalities of Ontario of their support of this matter. (10.4.1.) (2/1/CPSC)

Yours truly,

K. W. Sadler
City Clerk
/crg

cc: Mr. David Winninger, M.L.A.
Mrs. Dianne Cunningham, M.L.A.
Mrs. Irene Mathyssen, M.L.A.
Marilyn Neufeld, Executive Director, Hutton House, 654 Wonderland Rd. N. London, Ontario N6H 3E5
Keith Hudson, Executive Director, Community Living London, 190 Adelaide Street South, London, Ontario N5Z 3L1
Peter DeGelder, Executive Director, London Goodwill Industries Association, 554 First Street, London, Ontario N5V 1Z3
Association of Municipalities of Ontario, 250 Bloor Street East, Suite 701, Toronto, Ontario M4W 1E6
All Ontario Municipalities with Population Over 50,000
H. G. Howlett

300 DUFFERIN AVENUE, P.O. BOX 5035, LONDON, ONTARIO N6A 4L9
TELEPHONE (519) 661-4530 FAX 661-4892

THE CORPORATION OF THE CITY OF LONDON

DEPARTMENT OF THE CITY CLERK
K.W. SADLER CITY CLERK

DIRECTOR OF
SOCIAL ADMINISTRATION
DEPT. OF SOCIAL SERVICES
RECEIVED AUG 0 7 1992
REFERRED TO _____
SUBSEQUENT PROCESSING _____
_____
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____
☐ OTHER _____
_____
_____
FILE REF: 92 55 My Bl
G-R.S.

August 5, 1992

The Honourable Marion Boyd
Minister of Community and Social Services
Hepburn Block, Queen's Park
Toronto, Ontario
M7A 1E9

Honourable Minister:

I hereby certify that the Municipal Council, at its session held on August 4, 1992, resolved:

4. That the concerns expressed in the attached communications received from the Executive Director of Hutton House, the Executive Director of Community Living London and from the Executive Director of the London Goodwill Industries Association regarding the changes in Provincial funding for services provided through sheltered workshops for people with developmental and physical disabilities as announced by the Minister of Community and Social Services on May 19, 1992 **BE SUPPORTED** and that the Honourable Marion Boyd, Minister of Community and Social Services, the local Members of the Legislative Assembly of Ontario and Hutton House, Community Living London and the London Goodwill Industries Association be so advised; it being pointed out that these three organizations have indicated the following common concerns:

(a) the gain in personal self-esteem that is experienced through sheltered workshop programs is critical for this special population;

(b) the challenging economic environment makes it even more difficult for their clients to obtain regular or supported employment and, as well, for the agencies themselves to sell their services and to thus obtain operating revenue;

(c) only a small portion of their clients will be able to maintain community employment, even with ongoing support;

300 DUFFERIN AVENUE. P.O. BOX 5035. LONDON. ONTARIO N6A 4L9
TELEPHONE (519) 661-4530 FAX 661-4892

(d) activities which generate revenue are at maximum levels and a further erosion of Provincial funding will result in service reductions and will affect their ability to retain or attract qualified staff; and

(e) support is required for the greater movement of people with disabilities to the mainstream workforce while continuing to provide opportunities for those who are not competitively employable. (10.4.1.) (4/17/CPSC) (AS AMENDED)

Yours truly,

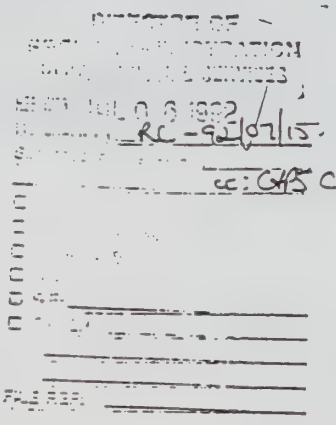
for K. W. Sadler
City Clerk
/crg

cc: Mr. David Winninger, M.L.A.
Mrs. Dianne Cunningham, M.L.A.
Mrs. Irene Mathyssen, M.L.A.
Marilyn Neufeld, Executive Director, Hutton House, 654 Wonderland Rd. N., London, Ontario N6H 3E5
Keith Hudson, Executive Director, Community Living London, 190 Adelaide Street South, London, Ontario N5Z 3L1
Peter DeGelder, Executive Director, London Goodwill Industries Association, 554 First Street, London, Ontario N5V 1Z3
✓ H. G. Howlett

HUTTON HOUSE

654 Wonderland Rd. N., London, Ontario N6H 3E5 Fax (519) 472-1051 (519) 472-6381

2



RC-92/07/15
cc: CAS C2-92/07/22

July 3, 1992

Mr. H. G. Howlett
Director
Social Administration
City of London
151 Dundas Street
P.O. Box 5045
London, Ontario
N6A 4L6

Dear Mr. Howlett:

Thank you for the opportunity to provide our perspective on the transfer payment restraints announced by The Honourable Marion Boyd, Minister of Community and Social Services.

Hutton House is a non-profit agency that has provided vocational, educational and social supports and services to adults with physical disabilities for 40 years. Since 1972, we have received core funding under the Vocational Services Act. At present, we are required to generate about 35% of our revenue through our business ventures with the remainder coming from transfer payments. Hutton House does business with over 100 companies in London, we sell at wholesale to over 150 companies across Canada and we operate two retail stores. We are part of the community and encourage our clientele to participate in the life of the London community.

It is our opinion that the reduction in transfer payments to sheltered workshops is a poorly conceived decision to reduce costs which will not result in more jobs for our clientele in the mainstream workforce. It will lead to more unemployment for persons with disabilities. It is unrealistic to attempt the transition to community employment without adequate long term planning and without the retention (at very minimum) of existing dollars to develop alternatives, such as supported employment and non-vocational programs for the unemployable. Our opinion is based on the following:

1. Historically, workshops have been a cost efficient, but substantially underfunded, service delivery system. Hutton House does not have a central administration line in its budget and has always operated with high staff/client ratios. Reduction in transfer payments will not allow for any wage increases and will further decrease our ability to attract well qualified staff. The implications of this for the people we serve are substantial.

2. It is very difficult for workshops to develop new opportunities for its clientele when it will be necessary for them to generate more business revenue to offset existing expenditures. There is nowhere to cut costs when you are already underfunded.

3. Industry and the labour force of Ontario is undergoing structural change in a time of soaring unemployment and sluggish economic recovery. With so many able bodied persons unemployed it will continue to be very difficult for our clients to find employment in the mainstream.

4. Workshop employees tend to be the most unskilled, uneducated and undervalued in our society. These factors create enormous barriers to employment and require long term strategies for resolution.

5. At Hutton House, only 20% of our clientele would be able to maintain competitive employment with ongoing support. The remainder have productivity levels well below industrial standards or have other conditions affecting employability. Nonetheless, the clientele of Hutton House, even if unable to work competitively, share the same values of society toward work. Where will these opportunities be generated, if not through a social service delivery system?

6. Using the government's criteria of a "real job" at minimum wage or better, supported employment has not been as successful as presumed. Many individuals are returning to workshops for a variety of reasons and reduced funding will not make this possible.

7. The provincial government has not yet developed effective strategies to resolve these issues, where agencies have the ability to do just that, if funding is enhanced rather than jeopardized.

In conclusion, Hutton House has always and will continue to support the movement of people with disabilities into the mainstream workforce, wherever possible. We also respect the right of the individual to choose the best alternative to meet their needs. Our society places strong values on work and as such, every citizen should have the opportunity to work. We agree that the current system requires restructuring to become more effective at moving people with disabilities into the mainstream workforce. However, we also have to provide work opportunities for those not competitively employable. Not to do so will negatively impact the self-esteem of any already undervalued population. It will deny them the opportunity to contribute to the life of our community and create increased dependency on social assistance.

To reduce funding to sheltered workshops is a strong indicator that this government does not view the needs of the more severely disabled as a priority on its social agenda.

If you or the members of the Committee wish to pursue any of these issues, I would be pleased to meet with you.

Yours sincerely,

M L Neufeld

Marilyn Neufeld
Executive Director

CC: Barry Parker
President

Community Living London

formerly
London and District Association for the Mentally Retarded
Affiliated: Ontario Association for Community Living

190 Adelaide Street South, London, Ontario. N5Z 3L1
(519) 686-3000 Fax: (519) 686-5490

DIRECTOR OF ... TION
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... 1992/
REFERRED TO RC 92/07/15
SUBMIT ... TO
FROM
cc: CHSCL-92/07/
C ...
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C S.R.
C OTHER
FILE REF:

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June 19, 1992

Mr. H. G. Howlett,
Director,
Social Administration,
151 Dundas St.,
P.O. Box 5054,
LONDON, Ont.
N6A 4L6

Your File Ref. 92 SS/M'Y BDGT. (ADMIN)

Dear Mr Howlett:

Thank you for your letter of June 12, 1992. Community Living London is extremely pleased that the Community and Protective Services Committee of the City of London has sought our input with regards to the impact of the Minister's announcement of a five million dollar reduction in Sheltered Workshops over two years, and an increase of 2 million dollars in supportive employment support over an unspecified period of time.

I believe it is important for the Committee to have some background prior to responding to your requests to the impact of this announcement.

BACKGROUND:

Community Living London is celebrating its 40th year of service to the City of London and surrounding area.

It was started by parents that sought services for their sons and daughters who were then labelled as Mentally Retarded, but in our present day society would be referred to as having a developmental handicap, or developmental challenge. By definition this means that the individual has received brain damage during their formative years (usually up to age 12) that limits their functioning ability. It should be pointed out that Community Living London is still an agency classified as a Transfer Payment Agency with a 16 person volunteer Board of Directors, and still very much driven by the parents/advocates and self advocates.

The first program started some 40 years ago, was a school for individuals who were labelled mentally retarded. In 1957, Community Living London opened up a sheltered workshop called Opportunity Enterprises.

Over the years, Community Living London attempted to develop sheltered work environments that would be both challenging and rewarding to the person with a developmental handicap.

At present we operate the following programs under the Vocational Rehabilitation Act that will be affected by the announcement made by the Minister:

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OPP ART: Manufactures canvass tote bags, and canvass products that are silk screened. At present we produce all the souvenir bags for the Ontario Art Gallery, National Art Gallery, special conference bags for local conferences and we have an offset printing business where we do the business cards for the Police Department, special safety campaigns, letterhead and brochures for many of the small businesses and social service agencies in the City.

At present we have 45 individuals involved in this sheltered environment, five days a week, from 8:30 a.m. to 3:30 P.M.

OPPORTUNITY PLASTIC PACKAGING: In this location we have a full range of packaging services available to industry from shrink wrap, to blister forming, blister packaging to cellophane overwrap. Our big customers are Kelloggs of Canada, 3M of Canada, Northern Telecom.

At present we have 55 individuals involved in different aspects of assembly and once again we operate 5 days a week from 8:30 a.m. to 3:30 p.m.

PLANT #1 Is geared to hand contract work for companies like Northern Telecom, 3M of Canada, small business that needs a quick turn around to assemble an item or to do stuffing. This is also the sorting Centre for Greenback Paper Recycling and shredding of documents.

At present we have 50 individuals at this location involved from 8:30 a.m. to 3:30 p.m. five days a week.

PLANT #2 Is a recycling plant for Brewers' Warehouse. All beer bottles that come back from restaurants, hotels, special occasion events are sent to this location for sorting as to initial producer and sent back to the supplier. This location sorts over one million cases per year.

At present it has 35 individuals involved in the sorting and shipping process and once again operates 5 days a week from 8:30 a.m. to 3:30 p.m.

PLANT #3 Is designed to be a training program and provide a workshop that will do hand contracts. This location has a small greenhouse on site and we have done contracts for florists, reclaiming contracts for industry, and contracts for the Dept. of National Defense, Ministry of Revenue, and some of the larger Banks and Trust Companies with regard to promotional kits that needed assembly.

At present Plant #3 has 34 individuals attending 5 days per week from 8:30 a.m. to 3:30 p.m.

TOTAL NUMBERS OF INDIVIDUAL IN THE SHELTERED WORKSHOPS; 219

PHILOSOPHY:

We strongly believe that work is a key factor in the well being of any individual. We further believe that not all people produce at the minimum wage level, but these individuals should not be denied the dignity of participating in work at a level that they can achieve. To this end we have developed a pricing

system for contracts that uses minimum wage as the basis and standard of pricing, therefore, keeping it fair to the private entrepreneur, but recognizing that it might take the program two to four individuals to meet the production quota that would be produced by one individual able to produce at a minimum wage standard.

Because of this inability to produce at a minimum wage level the Ministry of Community and Social Services has in the past funded Sheltered Workshops up to 80% of approved operating costs.

Community Living London has never seen this level of funding, but prior to the Minimum Wage Pilot Project, was funded at approximately 65% of approved operating costs. This means that Community Living London through the contracts generated in the sheltered workshops must meet a budgeted expectation of over $500,000 per year of contract sales.

DIRECTIONAL CHANGE: Over the last five years Community Living London has supported programs like L.E.A.D.S. of London in placing individuals into competitive employment and has sought and received permission to phase out Plant #1 and placed these individuals in supported employment in the community using job coaches. At present we are supporting 30 individuals that are in either part time jobs or full time jobs and receiving at least minimum wage for their efforts. This is over and above the 219 in sheltered workshops. By February of 1993,we plan to have placed 30 individuals from the workshop program into Supported Employment and close Plant #1 and reassign the remaining 20 individuals to other locations. All individuals placed by us are guaranteed ongoing support if needed and if their job fails will be brought back into the sheltered workshop system until another job can be found. We strongly believe in the need for consistent day programming for individuals who have a developmental handicap, for their own sake and those of their caregivers.

MINISTER'S ANNOUNCEMENT: - IMPACT

1. As of Thursday June 18, 1992, the Area Office of the Ministry of Community and Social Service for London had not been informed how the reduction would be made to 1992/93 and 1993/94 budget years. Therefore, we have already passed the first quarter of the 1992/93 budget year with a budget that was designed to be 1% greater than last year. We have now been told, that we will not even receive the .05% being applied to other budgets but can expect a reduction of approximately 9% and no direction has been received Corporately as to how this will be done, the fiscal impact on this year could be 12% to 18%.

2. Sheltered Workshops operate on average with one staff for every 15 individuals with a developmental handicap. We cannot continue to operate many of the machines used to generate revenue safely if we are forced to reduce staff and 80% of our operating budget is staff related.

3. If we are forced to reduce staff, then for safety reasons, we must reduce individuals being served. This will mean individuals without a day program wandering the malls and streets during the hours they would normally be productively involved. The exact number will be directly related to staff cuts, if they are necessary.

4. Another option open to us is increased revenue generation, but last year the recession really hit the sheltered workshop system hard and we found ourselves $100,000 behind in revenue projections. This is an area in which the City could take a leadership role and potentially have cost savings for the City. It might be to both our advantage if we were to review the types of services you purchase to see if there are services we might be able to provide as competitively for you in our workshops. A good example of this would be printing, sign making, pillow cases for Dearness, photocopying and collating. I'm sure that there are likely many other services that could be provided by a sheltered workshop after a thorough review has been completed.

5. The Minister has announced that she has designated two million dollars to supported employment. (What happened to the remaining 3 million dollars seems to be a mystery?) It has been our experience that effective supported employment cannot function with a staff to client ratio of greater than 1:10 and in most cases with the high degree of turn over of jobs its closer to 1:6. This would suggest a reduction in services to the consumer since a sheltered workshop can operate with a 1:15 ratio and make at least 20% of its operating cost through contract revenue.

6. The issue of minimum wage has not been addressed by the Minister in her announcement. As I'm sure the Protective Services Committee is aware, London and Thunder Bay were pilot project areas to try to address the minimum wage issue in workshops. The concept was that each individual would be assessed to determine their level of productivity based on minimum wage productivity standards. Then by applying the Family Benefits Allowance which all our supported employees receive and adding the productivity allowance they earned per hour should equal minimum wage. If it didn't the F.B.A. was topped up to ensure it did meet minimum wage. The Ministry decided that this method of achieving minimum wage would not meet the standards established by the Ministry of Labour and cancelled the pilot project effective April 30, 1992...even though it worked very well for the individuals involved. At present we have received no direction as to how the Ministry will address this issue of individuals within sheltered workshops receiving minimum wage. The only direction that seems to be coming out of the Ministry of Community and Social Services is that Sheltered Workshops will be phased out ... therefore the problem doesn't exist. What happens to the hundreds of individuals in this Province that can't produce at a level to make minimum wage doesn't appear to be a concern for the Ministry at this point.

   It is interesting to note that the 219 supported employees in our sheltered workshop program averaged 40% productivity level to minimum wage standard. Further, we found that 20% of the individuals in our programs were generating 80% of our contract revenue. It is of course, this 20% that are the easiest to place in competitive employment, but our revenue expectations must still be met!

7. The Policy Writers in the Ministry have decided that if you can't produce at minimum wage levels, then you should become involved in what are being termed as "Vocational Alternatives". This might be volunteering at the

library, swimming at the Y.M.C.A., bowling, or many other leisure time alternatives. It is their belief that volunteers will come forward from work places to assist these individuals assimilate, or that volunteers are available to transport and supervise leisure time activities.

Community Living London prides itself in having an excellent volunteer recruitment program funded by the United Way of London and Middlesex. We have over 100 volunteers involved in our preschool, Scatcherd Children's Centre, and over another 100 volunteers in our leisure time programs in the evening and weekends. We can tell you categorically that this is not a reliable alternative to professional staff for prime day programming time and without work as a tool, the staff ratio will change from 1:15 to 1:6. However, no new money has been allocated for this extra cost. Further, the very premise we started with, that work is an integral part of a person's self esteem and life style has been ignored by this direction.

SUMMARY:

The area of sheltered workshops is a very complex issue with major impact re:-
the individuals themselves
- the families and caregivers
- the economy - many companies use the services
- the potential for seeking extra assistance over and above the F.B.A. allocation for special items i.e. transportation, glasses etc.
- the issue of minimum wage vs. productivity standards
- the issue of dignity and a feeling of contributing to the community.
- the eroding of a social safety net
- the lack of recognition of increased staffing supports to provide supported employment.
- safety issue of staff ratio re: equipment monitoring
- the potential of cut in services to respond to suggested budget cuts.
- individuals wandering the streets and malls because of lack of day program.
- no direction from the Ministry as to when and how the cuts will take place.

Thank you for the opportunity of responding to this issue and if the Committee would be interested in touring our facilities, that could be arranged very quickly or if they would be interested in viewing a 15 minute video of the full agency, which includes the sheltered workshops and supported employment programs, I would be very happy to arrange it.

I hope the above information is useful.

Yours truly,

Keith Hudson, C.A.E.
Executive Director.

c.c. Bob Brennan
Peter DeGelder
/rh

554 First Street, London, Ontario N5V 1Z3 • Tel: (519) 455-9010
• Fax: (519) 659-6298

2

goodwill
London Goodwill Industries Association

[illegible] RC-92/07/16.

June 19, 1992

cc: CAPSCD-92/07/22

Mr. H.G. Howlett, Director
Social Administration
City of London
151 Dundas Street
London, Ont. N6A 4L6

Dear Mr. Howlett:

File Ref: 92SS/M'y Bdgt. (Admin.)

Your letter reveals that you and the Committee of Community & Protective Services have some of the same questions as we have. The lack of information is disturbing. We are aware - as you are - of Marion Boyd's speech of May 12/92, but we have no further details about what the Ministry wishes to accomplish, and how.

We feel rather defensive about how little attention and credit is given by Ministry staff to the fact that sheltered workshops do fill a real need in our community. Most of the disabled people to whom Marion Boyd refers are not ready to successfully enter the mainstream workforce. They continue to need the special support services and vocational training provided by Goodwill.
A premature competitive placement would spell disaster for many individuals. Rejection, failure and dismissals are terrible experiences, especially in the lives of disabled people.

This "push" by the Minister could not come at a more inopportune time. Our economic climate makes the for-profit companies most unreceptive to the idea of accommodating employees who still need to learn the work skills and who are unable to function at competitive levels.

In the event M.C.S.S. reduces our annual operating grant (± 16% of our total operating expenses), services to people with disabilities will have to be reduced. Our revenue generating ability (84%) is at maximum levels now and will not be able to cover any further shortfalls in grants.
A reduction in services will result, and this will hurt

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the more severely disabled people most.
The result will be more people on city welfare rolls who will spend their time in the parks feeding the pigeons.

Sincerely yours,

Peter DeGelder
Executive Director

Encl.

7.(a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 14

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Stella M. Glover, Secretary
Hamilton Farmers' Market Sub-Committee

SUBJECT: **Partnership Agreement -
Hamilton Farmers' Market**

RECOMMENDATION:

(a) That the City Solicitor be requested to review and report on Partnership Agreements at the Hamilton Farmers' Market, such review to include options available to either control, limit or direct the type of partnerships which can be entered into.

(b) That copies of this report be made available to the Hamilton Farmers' Market Sub-Committee.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: Stella Glover

Law Office staff time.

BACKGROUND:

The Hamilton Farmers' Market Sub-Committee is currently considering the issue of Partnership Agreements at the Hamilton Farmers' Market and would like a legal opinion on options available in this regard.

In view of the complexities of this subject, and the significant amount of time which will be required of the Law Office, the Farmers' Market Sub-Committee are requesting authorization by the Finance and Administration Committee for the preparation of this report.

cc: Alderman D. Agostino, Chairperson, Hamilton Farmers' Market Sub-Committee
Mrs. S. Miller, Market Manager
File

7.(b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 14

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Stella M. Glover, Secretary
Hamilton Farmers' Market Sub-Committee

SUBJECT: **Enforcement Procedures for Unauthorized Encroachment - Hamilton Farmers' Market**

RECOMMENDATION:

That the following procedures to regulate unauthorized encroachment at the Hamilton Farmers' Market be approved:

"(a) That all stallholders be forwarded a letter requesting compliance.

(b)

STEP ONE:	Verbal Warning
STEP TWO:	Written Notification witnessed by Stallholder Executive Member (compliance within (7) seven days)
STEP THREE:	Written Notification advising of possible Suspension or Termination of Contract (Failing Settlement at Step Two).

(c) Recommendation of appropriate disciplinary action to Market Sub-Committee/Finance and Administration Committee."

Stella Glover

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

2 ...

BACKGROUND:

The Hamilton Farmers' Market Sub-Committee at its meeting of 1992 June 03, approved of the foregoing administrative procedures to regulate unauthorized encroachment at the Hamilton Farmers' Market in accordance with market By-law 81-180.

At its meeting held 1993 January 13, the Sub-Committee again discussed unauthorized encroachments and agreed that these administrative procedures be sent to the Finance and Administration Committee for its formal approval.

cc: Alderman D. Agostino, Chairperson, Hamilton Farmers' Market Sub-Committee
Mrs. S. Miller, Market Manager
File

8.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 5

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: **Realty and Business Tax**
Prelevy Mill Rates for 1993

RECOMMENDATION:

That the prelevy residential and non-residential mill rates for 1993 be established at figures slightly below 50% of the 1992 respective mill rates as follows:

a) i) That a real property tax prelevy mill rate of 196 mills be established for 1993 to be billed in two instalments of 98.0 mills each, payable February 26th and March 31, 1993. This prelevy rate represents 49.976% of the 1992 residential mill rate.

ii) That a business tax prelevy mill rate of 230 mills be established for 1993 to be billed in one instalment, payable February 26, 1993. This prelevy rate represents 49.849% of the 1992 non-residential mill rate.

b) That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton Wentworth, based on approximately 50% of the 1992 charge, to be billed in two equal instalments, payable February 26th and March 31, 1993.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

To enable the City to bill a prelevy of approximately $212,000,000.00 in realty and business taxes.

BACKGROUND:

For more than twenty years, the Corporation has collected two instalments of real property taxes prior to approval of the annual estimates by City Council.

These instalments of taxes, known as the prelevy, are restricted by the Municipal Act to 50% of the prior year's residential and non-residential public school mill rates for realty and business taxes, respectively.

I have indicated herein the prelevy mill rates for the years 1982 to 1992 inclusive, and the recommended rates for the year 1993.

a) Realty Taxes

Year	Prelevy Mill Rate	Prior Year's Residential Public School Mill Rate	% of Prelevy Rate of Prior Year's Rate
1982	93.0	187.3379	49.643
1983	102.0	205.4674	49.643
1984	108.0	217.5770	49.638
1985	114.0	229.0207	49.777
1986	121.0	243.6926	49.653
1987	127.0	254.5864	49.885
1988	140.0	281.6820	49.701
1989	149.0	299.2330	49.794
1990	162.0	324.0754	49.988
1991	182.0	364.8300	49.866
1992	188.0	376.0847	49.989
Recommended for 1993	196.0	392.1880	49.976

b) Business Taxes

Year	Prelevy Mill Rate	Prior Year's Non-Residential Public School Mill Rate	% of Prelevy Rate of Prior Year's Rate
1982	110.0	220.3975	49.910
1983	120.0	241.7264	49.643
1984	127.0	255.9730	49.615

BACKGROUND: Cont'd

Year	Prelevy Mill Rate	Prior Year's Non-Residential Public School Mill Rate	% of Prelevy Rate of Prior Year's Rate
1985	134.0	269.4360	49.734
1986	143.0	286.6973	49.878
1987	149.0	299.5135	49.747
1988	165.0	331.3906	49.790
1989	176.0	352.0389	49.994
1990	190.0	381.2652	49.834
1991	214.0	429.2117	49.859
1992	221.0	442.4526	49.949
Recommended for 1993	230.0	461.3976	49.849

Accordingly, it is recommended that prelevy rates be established in 1993 at, or near, the 50% maximum of the 1992 rates, as provided by Legislation.

As established in 1976, the City will again prelevy non-metered water and sewer surcharge on behalf of the Region. This prelevy will be approximately 50% of the 1992 charge, divided into two equal instalments, payable February 26th and March 31, 1993.

TAB/ce

URBAN/MUNICIPAL
CA4 ON HBC A05
CS1F31
1993

Urban/Municipal Librarian
Public Library
2nd Floor

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1993 February 4th
9:30 o'clock a.m.
Room 233, City Hall

Susan K. Reeder

Susan K. Reeder
Secretary

AGENDA

1. **PRESENTATION**

   Building Department. (no copy)

2. **DELEGATION**

   Y.M.C.A. - Proposed Development of Y.M.C.A. Facilities in the Mountain Community.

3. **ALDERMAN D. ROSS**

   Coyote Population Problem on the West Mountain.

4. **CONSENT AGENDA**

5. **FOOTBALL HALL OF FAME AND MUSEUM MANAGEMENT COMMITTEE**

   City of Hamilton Parade Float for the 1993 Grey Cup.

6. **CHIEF ADMINISTRATIVE OFFICER**

   Crystal Palace Project. (copy to follow)

7. **DIRECTOR OF PUBLIC WORKS**

Vehicle Acquisitions from Depreciation Budget - Public Works Department. (copy to follow)

8. **CITY CLERK**

(a) Use of a Meeting Room - Executive Council of Hamilton Neighbourhoods.

(b) Display of Artwork.

9. **RESOLUTIONS**

City of Kanata - Federal Freeze on Grants-in-lieu of Taxes.

10. **TAXI ADVISORY COMMITTEE**

School Transportation.

(a) Recommendation - City Clerk.

11. **TREASURER**

Appointment of the External Auditor.

12. **REFERRAL FROM COMMITTEE OF THE WHOLE**

Penalty and Interest Rates charged on Outstanding Taxes.

13. **GRANTS CO-ORDINATOR**

1993 Grants Process.

14. **11:00 O'CLOCK A.M.**

Local Improvement Court of Revision.

15. **PRIVATE AND CONFIDENTIAL AGENDA**

16. **OTHER BUSINESS**

17. **ADJOURNMENT**

OUTSTANDING ITEMS

FINANCE AND ADMINISTRATION COMMITTEE

Item	Action by	Report due by
1. (a) Policy to exempt Parking Authority from realty and business tax. (b) Examine feasibility of directing the net revenue from parking fines into the Reserve Account.	Treasurer Treasurer	
2. Report back on possible amendments to existing legislation to improve power to confiscate vicious animals.	H.S.P.C.A.	
3. Report on City's Energy Lightbulb Programme.	Purchasing	
4. Rationale of Development Charges on 84 Birmingham Street.	Building	1993 February 18 meeting
5. Proposed policy on display of plaques, posters, memorabilia, etc. Note: The requests from the following are on hold pending Committee deliberation of the Director's report: (a) Status of Women (b) Ridge Raiders Drum & Bugle Corp. (c) Ad & Sales Club (d) Hamilton Mundialization Committee (e) Polish Singers Alliance of America	Property	
6. Additional Proposed Development Charges Amendments.	Building	1993 March 25 meeting
7. Commonwealth Plaza Lighting.	Property	
8. Results of investigation on alternative uses of the Theatre Terra Nova building in the event that Theatre Terra Nova is unable to assume regular monthly mortgage payments as of 1993 January 1st.	C.A.O.	

	Item	Action by	Report due by
9.	Report on procedures to be used in regulating the sale of merchandise by charitable and non-profit groups.	City Clerk	
10.	Report on overview of all types of licences issued and fees for Committees consideration of rationale.	City Clerk	
11.	For the 1993 February meeting, a discussion paper will be presented by the Licence Division on a revised Taxicab By-law.	City Clerk	going first to Taxi Advisory Committee
12.	Analysis of cost benefits to owning a sound system vs. rental.	City Clerk	
13.	Explanation of use of the terminology "terminated" and "resigned" in Appointment Listings.	Commissioner of Human Resources	1993 February 4 meeting
14.	Origin of City Hall Calendar.	City Clerk	
15.	City Hall Grounds Study - being reviewed by interest groups for input.	Arts Co-Ordinator	1993 March 25 meeting
16.	Draft By-law - Adult Video Stores and Adult Video material.	City Solicitor and Manager of Licensing	1993 February 18 meeting
17.	Report - Partnership Agreements at the Hamilton Farmers' Market.	City Solicitor	1993 March 4 meeting
18.	Report - City's continuing role in Non-Profit Housing.	Chief Administrative Officer	1993 February 18 meeting

"Copy sent to A. Ross, Treasurer - 1993 January 29th".

THE YMCA OF
HAMILTON/BURLINGTON

METROPOLITAN OFFICES
79 James Street South,
Hamilton, Ontario L8P 2Z1
Tel.: (416) 529-7102
Fax: (416) 529-4485

January 18th, 1993

2.

Ms. Susan Reeder
Secretary, Finance and Administration Committee
City Clerk's Department
Corporation of the City of Hamilton,
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Ms. Reeder:

On behalf of the YMCA of Hamilton/Burlington, I would like to request the opportunity for a delegation from the YMCA to make a presentation to the Finance and Administration Committee at its meeting on February 4th, 1993.

Our presentation relates to the proposed development of YMCA facilities in the Mountain community.

I have enclosed a copy of our proposal for advance distribution to the members of the committee.

Would you please advise me as to the acceptability of this request and the proposed date.

Sincerely yours,

Vic Hryhorchuk,
Chief Executive Officer

VH:pm
Enc.

Copy: Don Ross
Mayor Bob Morrow

THE YMCA OF
HAMILTON/BURLINGTON

PROPOSAL

TO THE

FINANCE AND ADMINISTRATION COMMITTEE

CORPORATION OF THE CITY OF HAMILTON

REGARDING YMCA FACILITY DEVELOPMENT

ON HAMILTON MOUNTAIN

February 1993

History

From 1958 through 1978 the YMCA of Hamilton/Burlington owned and operated a small Family YMCA Branch at 500 Upper Wellington on Hamilton Mountain.

In 1978 due to deterioration of the building, escalating maintenance costs, and an inability to properly serve the community because of the limited nature of the facility, the building was sold and the Branch's administrative offices and program staff moved into nearby rented facilities. Family YMCA programs continued to be operated in a variety of community facilities on the Mountain including churches and schools.

Recent Background

In 1987 our Association approved a strategic plan that included a commitment to facility expansion with an emphasis on family programming. This plan was predicated on the community's need for improved and additional services and the Association's underlying need for the facilities and other resources to provide these services.

Mountain Facility Expansion Steering Committee

In late 1991 a Steering Committee made up of key community leaders and residents began working on the vision for a new Mountain Family YMCA facility. Strategies for development were identified and the nature of the proposed facility and its ideal location began to emerge.

Feasibility Study

In June of this year, the Board of Directors of the YMCA launched a YMCA Facility Expansion Feasibility Study, which received support funding from the Ministry of Tourism and Recreation. This study was focused upon the need for and feasibility of a new Mountain Family YMCA Branch and the relationship of this initiative to the YMCA's other facility needs.

The Feasibility Study process began in June '92 and the consultant's final report was presented to a special meeting of the Association's Board of Directors on November 7th, 1992.

Study Outcomes

The findings of both the Project Steering Committee and the Feasibility Study Consultant (F. J. Galloway Associates) confirm that there is a strong need for a comprehensive family YMCA facility in the Mountain community. The level of existing services, and the growing population of the community suggest that the activities of a modern YMCA would be heavily utilized.

Based on market research and resident input the ideal or preferred location for a new YMCA facility would be the central/west Mountain area bounded by Upper James on the west, Upper Wentworth on the east, Limeridge Road on the north, and Rymal Road on the south.

Adequate parking, and easy access to east-west and north-south public transit routes have also been identified as major location requirements.

The area in the immediate vicinity of the East-West Expressway and Upper James or Wentworth Street appears to be the ideal or most preferred.

The type of facility envisioned and supported by the feasibility study suggests:

- a full family oriented fitness/health/and recreation centre including swimming pool, therapeutic pool, gymnasium, exercise, weight training, club/meeting rooms, and family viewing areas.
- a comprehensive licensed YMCA Child Care centre providing full-time year round infant through school-age child care services to families in the community.
- a YMCA Youth Employment/Education Service centre.
- a capacity to provide, either directly, or collaboratively with other community organizations, a broad range of family and youth services including assessment, counselling, training, literacy, and leadership.

In order to provide this range of activities, with adequate parking and outdoor program areas, a site of approximately five or six acres will be required.

Economic Impact

Although a formal economic impact study has not been conducted, the following observations and information are relevant to this project:

The construction of the facility will contribute approximately $10,000,000 to the economy primarily through the local construction industry and local suppliers. The ongoing operations of the facility and the programs associated with it could be expected to create approximately 25 new full-time and 120 part-time positions.

Each year a facility of this size would generate $2,500,000 in service fees, program fees, and membership fees, all of which would go back into the local economy through wages, purchases of goods and services, and other occupancy costs.

In addition, because this project would eliminate the need for at least one of the City's planned public recreation centres, the reduced capital and operating costs for the City of Hamilton would mean a lessened ongoing burden on public funds.

The YMCA's Proposal

The City of Hamilton's **Vision 2000 - Culture and Recreation Facility Needs Study** completed in November of 1990, identifies critical shortfalls in both recreational facilities and programs in the South Mountain Community. The study also identifies the Walker Pool/Bethune Park site in the Ryckman Neighbourhood as one of three key potential locations to develop community recreation centre/pool facilities. The report, as reflected in the City's current capital budget, indicates a need for the city to budget an estimated $25 million to meet the recreation requirements of the Mountain Community.

The development of a comprehensive Family YMCA facility in partnership with the City of Hamilton could meet the majority of these needs in the area south of the Expressway.

As a major provider of recreational, social, and educational services in the City of Hamilton, the YMCA has a solid track record of effectiveness, adaptability, and public accountability.

As an independent, voluntary, non-profit, charitable, association, the YMCA believes that it has a key role to play as a partner with government and in particular with municipal government in the provision of cost effective, local community services.

The YMCA of Hamilton/Burlington has a long and proven working relationship with this city's politicians and staff related to the development and coordination of facilities and various programs all designed to serve the citizens of Hamilton. The City of Hamilton has historically supported the YMCA both morally and financially on major initiatives in both the lower city and Mountain communities.

As we embark on yet another initiative, we believe that the moral and financial support of the City of Hamilton is crucial to its success. The YMCA of Hamilton/Burlington requests the City's support in contributing City owned land, within the focus area, to permit the construction of a YMCA facility appropriate to the Mountain community's existing and growing needs for service. The current Barton Community Centre / Walker Outdoor Pool site at Bethune Park is the key location identified by the YMCA's Feasibility Study.

The YMCA will also need the City's support as a significant partner in the capital financing of this project. The development of a community accessible , Family YMCA facility in the area identified would offset the need for the city to build a municipal recreation centre in the same area and thereby make available to the City capital funds which could be invested in support of this project.

Our YMCA is currently in the process of analyzing its own options and potential for capital fund raising, long term debt financing, and overall government participation as partners in this project. A feasibility study to determine the fund raising potential for this undertaking will be conducted during the first quarter of 1993.

The City's commitment to become a partner in the development of this facility will be a cornerstone in the success of this project. The project will benefit the growing population of Hamilton Mountain by serving their need for quality family and individual recreation and community service, in a cost effective manner, and utilizing our community's vast voluntary resources.

* * *

JAN 28 1993

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

3.

****

TO: Alderman D. Ross
Alderman, Ward 8
Aldermen's Office

FROM: J. G. Pavelka, P.Eng.
Chief Administrative Officer

OUR FILE: 110-0001

SUBJECT: **Coyote Population Problem on the West Mountain**

DATE: 1993 January 27

Further to your concerns about the coyote population problem on the West Mountain, I am forwarding a copy of your correspondence to Mr. C. Stableford so that as the General Manager of the Hamilton SPCA he can respond to your concerns.

Several years ago, after I became the Director of Public Works, the responsibility for the trapping of animals was transferred to the Hamilton SPCA along with the base budget. If additional funding is required, as you suggest, than Mr. Stableford will have to deal with this funding.

J. G. Pavelka

c.c. Mr. C. Stableford, General Manager
Hamilton SPCA
Mr. D. Lobo, Director
Public Works Department

CITY COUNCIL
HAMILTON, CANADA

Alderman Don Ross
Chairman - Economic Development & Planning
Chairman - Finance & Administration

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES: (416) 387-1842 - Ward 8

January 13, 1993.

TO: Joe Pavelka,
Chief Administrative Officer.

FROM: Don Ross,
Alderman, Ward 8.

SUBJECT: **COYOTE POPULATION PROBLEM ON WEST MOUNTAIN.**

I have been informed by Ms. Debbie Napholc that she has spotted coyotes again close to her home.

This is a reoccurring problem and I have been dealing with an increasing coyote population on the West Mountain for the last year.

It seems to me that something of this nature should not be left up to citizens to try to rectify but should be taken care of by the H.S.P.C.A. I know that, if there was a rabid fox or rabid rabbit in a residential area, they would get involved. The number of coyotes in residential areas is just as bad.

Can you suggest a solution on how we can get rid of them?

Mr. Don Ward is the Ministry of Natural Resources Licenced Trapper -- who will trap the animals ... but the cost is approximately $50.00 per trip and he is unaware of the number of trips required in order to rid the West Mountain of the coyote problem ... but it could be in the neighbourhood of five or six trips ... so we might be looking at $200. - $300. for each siting.

We don't have a Budget for this so I am asking you if there is some way we can solve this problem.

Don Ross,
Alderman, Ward 8.

DR:dd

4

FINANCE AND ADMINISTRATION COMMITTEE

THURSDAY, 1993 FEBRUARY 4TH

CONSENT AGENDA

A. ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the meeting held Thursday, 1993 January 21st.

B. MANAGER OF PURCHASING

(i) Pool System Renovations, Ryerson Recreation Centre.

(ii) Supply and Delivery of Worker's Uniform Clothing during 1993, Purchasing Stores.

C. CITY CLERK

(i) Use of Council Chambers - National Law Day.

(ii) Winterfest Media Conference.

(iii) Use of Council Chamber - Mayor's Race Relations Committee.

(iv) Temporary Extension of Premises Licence.

D. TREASURER

Tax Applications processed under Section 443, Sub-section (5) of the Municipal Act, Chapter 45, Statutes of Ontario, 1990.

E. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items.

Thursday, 1993 January 21
9:30 o'clock a.m.
Room 233, City Hall

A.

The Finance and Administration Committee met.

There were present: Alderman B. Charters, Acting Chairperson
Alderman T. Cooke
Alderman V. Agro
Alderman G. Copps
Alderman D. Agostino
Alderman D. Anderson
Alderman D. Drury

Regrets: Alderman D. Ross, Chairperson - Other Business
Mayor Robert M. Morrow - Vacation

Also present: Alderman B. Morelli
Alderman F. Eisenberger
J. Pavelka, Chief Administrative Officer
S. Hollowell, Acting City Clerk
A. Ross, Treasurer
R. Sabo, Law Department
R. Menagh, Human Resources Centre
T. Bradley, Manager of Purchasing
B. Chrystian, Public Works Department
B. Sugden, Director of Culture and Recreation
D. Vyce, Director of Property
C. York, Arts Co-Ordinator, Culture and Recreation Department
Susan K. Reeder, Secretary

AGENDA

4. TABLED RECOMMENDATION - MANAGER OF PURCHASING

Awarding of a Contract - Supply and Delivery of Office Supplies, Various Departments.

Alderman Morelli was in attendance at the meeting and spoke to the Committee with respect to his rationale in requesting that the awarding of a Contract for the Supply and Delivery of Office Supplies, various Departments, was referred back to the Finance and Administration Committee by him with direction that the Tenderers be given an opportunity to speak directly to the Committee.

General discussion then ensued with respect to this matter and the Committee approved the following:

> That a purchase order be issued to Brown & Collett, Mississauga, to supply and deliver office supplies to various departments for a period ending 1994 January 31, with an option in favour of the City to extend for one additional twelve month period, being the lowest of four proposals received, in accordance with a Request for Proposal issued by the Manager of Purchasing and Vendor's Proposal, and be financed through various approved Office Supplies Accounts.

1. PRESENTATION - Hamilton Society for the Prevention of Cruelty to Animals - Cam Stableford, General Manager.

Mr. Stableford, of the H.S.P.C.A., was in attendance to speak briefly to the Committee with respect to the various services and functions being provided by the H.S.P.C.A. for the City of Hamilton. Mr. Stableford spoke very briefly to the Committee and then showed a video tape outlining various aspects of the Society. The Committee agreed to receive the presentation for information purposes and thanked Mr. Stableford for attending the meeting to make this presentation.

2. PRESENTATION - A. J. Diamond, Donald Schmitt and Company Consultant - City Hall Grounds Study.

The Committee was in receipt of a Joint Report from the Director of Culture and Recreation, Director of Property, and Director of Public Works dated 1993 January 14, respecting a recommendation on the City Hall Grounds Study, Hamilton - A. J. Diamond, Donald Schmitt and Company Consultant.

Mr. Schmitt spoke to the Committee with respect to this presentation on a proposed City Hall Grounds Conceptual Plan. Mr. Schmitt used a slide projector to show various alternatives considered and finally the Conceptual Plan devised out of the input provided by numerous groups.

Alderman Copps requested that all groups be given an opportunity to inspect and comment on the final recommended proposed Conceptual Plan.

Discussion ensued with respect to the City Hall Grounds Study and it was requested that the Chief Administrative Officer would discuss tree planting on the Board of Education property to complement the City side of the Street.

The Committee then approved the following:

> "That the City Hall Grounds Study, presented by A.J. Diamond, Donald Schmitt and Company Consultant, be referred to staff, in order that they obtain the input of all interest groups for their comment and that this matter be brought back along with those comments within a 60 - 90 day period to the Finance and Administration Committee for deliberation."

3. ADULT VIDEOS TO MINORS

The Committee was in receipt of the following:

(a) A memorandum from Alderman F. Eisenberger dated 1993 January 14, requesting that the subject of "Availability of Adult Videos to Minors" be placed on the Committee Agenda.

(b) Information forwarded to the Committee by Mayor Morrow from the City of Mississauga with respect to their By-law for licencing, regulating and governing of Adult Video Tape Stores, and for regulating Video Tape Stores in which Adult Video Tapes are provided.

(c) Correspondence dated 1993 January 21, from the Legislative Assistant to the Administrative Services Committee for the Regional Municipality of Hamilton-Wentworth, referring the issue of regulation of the distribution of pornographic video tapes to area municipalities for consideration.

Alderman Eisenberger spoke to the Committee with respect to this matter and requested that consideration should be given for the City of Hamilton to act quickly with respect to controlling the availability of Adult Videos. He indicated that there should be a specified designated area for display of Adult Videos in Video Stores, as well as restrictions on where Adult Video Stores can be located. He gave reference to the City of Mississauga's recently approved By-Law.

Cleda Yachetti, Canadians for Positive Community Standards, was in attendance along with several other members of the Association and the Chairperson requested that she speak briefly to the Committee with respect to this issue. Ms. Yachetti indicated that there is an inundation of pornography material to the Ontario Film Review Board and that there is not a check-up system to determine if illegal material is in stores. Ms. Yachetti distributed a memorandum to the members of the Committee dated 1993 January 21, respecting the concerns of the Canadians for Positive Community Standards and the suggested controls that Hamilton could put in place. She also distributed a break-down of the movie viewing schedule for 1991 August, September, October to the Ontario Film Review Board. She added that the statistics are similar in 1992.

Further discussion then ensued and the Committee approved the following:

"That the City Solicitor and Manager of Licensing be directed to review the City of Mississauga By-law, other similar By-laws and related material, to prepare a Draft By-law for presentation to the Finance and Administration Committee at its 1993 February 18th meeting to:

(a) restrict the locations of Adult Video Stores; and,

(b) to require specific designated and restricted areas for the display of Adult Video material within stores selling or renting video material."

5. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda and approved the following:

A. ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE - Minutes of the regular meeting held Thursday, 1993 January 7th.

The Committee was in receipt of the minutes of the above-noted meeting and approved them as circulated.

B. MAYOR ROBERT M. MORROW

Funding: Edmund C. Bovey Clinic and Regional Meeting.

The Committee was in receipt of a report from the Mayor dated 1993 January 12, respecting the above-noted matter and approved the following:

(a) That approval be given for the hosting of an Edmund C. Bovey Municipal Clinic and Ontario Regional Meeting in the Council Chambers of City Hall, on 1993 February 27 and 28; and,

(b) That approval be given for a City contribution from the Civic Receptions and Delegate Hosting Budget for hosting purposes in the amount of $3,000. from Account CH5531484010; and,

(c) That approval be given for an application to be sent to the Ministry of Municipal Affairs for financial assistance to defray the costs of the Clinic Report being translated into French.

C. CITY CLERK

(i) Black History Month.

The Committee was in receipt of a report from the Acting City Clerk dated 1993 January 15, respecting the above-noted matter and approved the following:

(a) That approval be given to the request of the Chairperson, Caribbean Potpourri, to use the Council Chambers on Sunday, 1993 February 7 from 1:00 - 4:00 p.m. to mark Black History Month; and,

(b) That approval be given for the Caribbean Potpourri Committee to use the second floor foyer (east and west) from 1993 February 1 - 8 for a display during Black History Month; and,

(c) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(ii) Use of Council Chambers - Presentation of Canada 125 Commemorative Medals.

The Committee was in receipt of a report from the Acting City Clerk dated 1993 January 15, respecting the above-noted matter and approved the following:

That approval be given to the request of Stan Keyes, M.P. Hamilton West, to use the Council Chambers on Friday, 1993 February 5 at 3:00 p.m. for a presentation ceremony to those 28 recipients being honoured with Canada 125 Commemorative Medals.

D. ADVISORY COMMITTEE ON EQUITABLE REPRESENTATION ON COMMITTEES/BOARDS/COMMISSIONS

Appointment of Member to the Advisory Committee on Equitable Representation on Committees/Boards/Commissions.

The Committee was in receipt of a report from the Secretary of the Advisory Committee on Equitable Representation on Committees/Boards/Commissions dated 1993 January 4, respecting the above-noted matter and approved the following:

That Tim Nolan be appointed as the Regional Advisory Committee for the Disabled's representative to replace Michelle Laforet on the Advisory Committee on Equitable Representation on Committees/Boards/Commissions.

E. DIRECTOR OF PROPERTY

(i) Closure of Property Department Capital Projects.

The Committee was in receipt of a report from the Director of Property dated 1993 January 14, respecting the above-noted matter and approved the following:

That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
a) 318941016	Energy Conservation Projects (1989)	$ 50,000.00	$ 49,756.87	$ 243.13	Reserve for Capital Projects
b) 319041003	Major Maintenance to Civic Buildings (1990)	250,000.00	249,800.65	199.35	Reserve for Capital Projects
c) 319151002	Central Memorial - Replace Pool Filtration	200,000.00	178,310.08	21,689.92	Reserve for Capital Projects
d) 319151011	City Hall - Fan Plenum Retrofit	90,000.00	89,965.68	34.32	Reserve for Capital Projects - C.U.P.
e) 319151014	C.U.P. - Replacements/ Revisions/New Equipment	70,000.00	69,582.11	417.89	Reserve for Capital Projects - C.U.P.
TOTAL				22,584.61	

(ii) Agreement for Windows and Door Facing Jarvis Street Square - 303, 305 and 307 King Street East - Agommen Ltd. and Partners.

The Committee was in receipt of a report from the Director of Property dated 1993 January 11, respecting the above-noted matter and approved the following:

(a) That an Agreement, duly executed by Agommen Ltd. (Agostino Ammendolia, President), Shoreline Gardens Ltd. (Fernando Fabiani, President), Pinegate Manufacturing Inc. (Peter Lamarche, President), Fulvio Zanette, John DiCecca, Roman Prus, Annunziato Ammendolia, Gary Santucci, Jack Terrana, Aaron Rifkind and Tony Lucido, owners of 303, 305 and 307 King Street East, on 1993 January 7, allowing the installation of 21 windows and one door, facing the municipal parking lot adjoining their property to the west, be approved. A certified cheque in the amount of $500., to be credited to Account No. CH 4X602 00109, is being held by the Treasurer pending approval of this transaction. This is a one time charge for administration fees.

(b) That it is understood and agreed that, should the City of Hamilton require the parking lot for development purposes, the owners shall within thirty (30) days of receipt of written notice from the Corporation of the City of Hamilton remove such windows and door or board up same, entirely at the expense of the owners.

(c) That the Mayor and City Clerk be authorized to execute all the necessary documents.

F. DIRECTOR OF INFORMATION SYSTEMS

Payment of 1993 DBS Software Maintenance Invoice.

The Committee was in receipt of a report from the Director of Information Systems dated 1992 December 30, respecting the above-noted matter and approved the following:

That the 1993 invoice for $122,900. (plus GST) from Dunn and Bradstreet Software (formerly Management Science America) be authorized for payment from Account CH 5609X-26021 (User Software).

G. COMMISSIONER OF HUMAN RESOURCES

(i) Contract Settlement - Marble Setter, Tile Setters & Terrazzo Worker, Local 31B.

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1993 January 13, respecting the above-noted matter and approved the following:

That the contract settlement of the International Union of Bricklayers and Allied Craftsmen and the Ontario Provincial Conference of the International Union of Bricklayers and Allied Craftsmen and the Terrazzo, Tile and Marble Guild of Ontario, Inc., Local Union 31 B, be received pursuant to the Fair Wage Policy of the City of Hamilton.

(ii) Contract Settlement - Teamsters Construction Council of Ontario, Local 879.

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1993 January 13, respecting the above-noted matter and approved the following:

That the contract settlement between the Construction Site Teamsters Employer Bargaining Agency and the Teamsters Construction Council of Ontario, Local 879, Hamilton, be received pursuant to the Fair Wage Policy of the City of Hamilton.

(iii) Contract Settlement - International Union of Elevator Constructors for Local 90.

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1993 January 13, respecting the above-noted matter and approved the following:

That the contract settlement between the National Elevator Escalator Association and the International Union of Elevator Constructors for Local 90, Hamilton, be received pursuant to the Fair Wage Policy of the City of Hamilton.

(iv) Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1993 January 11th.

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1993 January 14, respecting the above-noted matter and approved the following:

> That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1993 January 11, attached herewith and marked Appendix "A", be approved.

Alderman Copps expressed concerns with respect to the hiring of a "Cultural Marketing Co-Ordinator" in the Culture and Recreation Department. It was indicated to Alderman Copps that this position was approved by City Council at its meeting on 1992 November 10, and that this report would be provided to her.

H. FRENCH SUB-COMMITTEE

1993 Membership Fees - Francophone Association of Municipalities of Ontario.

The Committee was in receipt of a report from the Secretary of the French Sub-Committee dated 1993 January 4, respecting the above-noted matter, as well as a report from the Treasurer dated 1992 November 30, respecting the funding for this expenditure (I. TREASURER - Funding - 1993 Membership Fees - Francophone Association of Municipalities of Ontario.), as listed on the Agenda.

The Committee approved the following:

(a) That the City of Hamilton renew its Membership for 1993 with the Francophone Association of Municipalities of Ontario; and,

(b) That the cost of the 1993 Membership Fees with the Francophone Association of Municipalities of Ontario, in the amount of $700., be financed from the Unclassified Account Centre No. CH24201.

6. RESOLUTIONS

(a) Town of Caledon - Provincial Down Loading.

The Committee was in receipt of correspondence received from the Town of Caledon, respecting a resolution on Provincial Down Loading.

The Committee agreed to **receive** this resolution for information purposes as follows:

> That the following resolution from the Town of Caledon respecting Provincial "Down Loading", be received:
>
> > WHEREAS the Honourable Floyd Laughren, the Provincial Minister of Treasury and Economics, indicated recently, in the legislature, that the Government of Ontario is in serious financial difficulty and that the Municipalities and Boards of Education will be expected to shoulder a higher burden of taxation in 1993; and,

WHEREAS many of the increased costs in the local government are the direct result of Provincial legislation, policy and initiatives such as, but not limited to:

- provincial arbitration awards for salaries and benefits that exceed provincial guidelines; and,
- welfare and related expenses that are 20% chargeable to municipal taxation; and,
- additional costs related to Bill 40; and,
- continuing reductions in provincial cost sharing particularly in education; and,
- increased requirements for mandatory programs without matching provincial dollars; and,

WHEREAS rising levels of tax arrears and aged tax arrears, increasing calls for tax relief from property tax payers and higher numbers of homes for sale and powers of sale indicate that local taxation levels are at, or beyond, the ability of rate payers to support; and,

WHEREAS it is the local municipality that must tax the property owner for the municipal share of revenue not only for itself but also the Region (or County), Boards of Education, and special use bodies such as Library Boards and Conservation Authorities; and,

WHEREAS the property owner has no recourse except to pay municipal taxation or risk the loss of property and assets; and,

WHEREAS there is a growing disenchantment with the political leadership's ability, at all levels, to control and prevent increases in taxation; and,

WHEREAS there are more calls for a tax revolt among taxpayers;

NOW THEREFORE the Council of the Town of Caledon puts on notice the Province of Ontario, the Region of Peel, The Peel Board of Education, The Dufferin Peel Roman Catholic Separate School Board, and all other Agencies, Boards and Commissions, who derive revenue from property taxes, that it will not increase mill rates or send out bills or attempt to collect additional levies or demands resulting from reductions in Provincial support payments, increases or changes in Provincial legislation, policies or initiatives, changes in mandatory requirements, provincial arbitration awards or any other measure designed by the Province of Ontario to down load additional costs to municipal tax payers or to increase the cost of local government; and,

FURTHER THAT all municipalities in Ontario be sent a copy of this resolution and be asked to endorse this position.

(b) City of Burlington - Unsolicited, Unaddressed Mail.

The Committee was in receipt of correspondence from the City of Burlington dated 1992 November 24, respecting a resolution on Unsolicited, Unaddressed Mail.

Some discussion ensued with respect to this and discussions that had ensued previously on this issue.

The Committee agreed to **endorse** this resolution as follows:

That the following resolution from the City of Burlington respecting Unsolicited, Unaddressed Mail, be endorsed:

WHEREAS unsolicited, unaddressed mail is increasingly becoming a waste management problem for municipalities; and,

WHEREAS the Federal Government through its Green Plan has made a commitment to Sustainable Development with waste reduction as a key objective; and,

WHEREAS Canada Post, a Federal Crown Corporation contributes to the unsolicited, unaddressed mail problem by delivery over 3.5 billion pieces of unsolicited, unaddressed mail each year; and,

WHEREAS significant numbers of citizens do not wish to receive unsolicited, unaddressed mail; and,

WHEREAS Canada Post is obligated to deliver unsolicited, unaddressed mail due to their mandate; and,

WHEREAS many private distributors of unsolicited, unaddressed mail would like to respect citizen's wishes but in doing so, are put at a competitive disadvantage with Canada Post;

BE IT HEREBY RESOLVED that the Council of the Corporation of the City of Burlington request the Federation of Canadian Municipalities (FCM) to petition the Minister responsible for Canada Post to amend the Postal Act and the corresponding Regulations to allow environmentally concerned Canadians the right to refuse unsolicited, unaddressed mail before it is delivered; and,

THAT the City Clerk be directed to forward this resolution to Ontario Municipalities with a population over 50,000 for consideration and endorsement.

(c) City of London - Petitioning to the Provincial Minister of Community and Social Services for the Continuation of Sheltered Workshops as a Program of Choice within the Social Services System.

The Committee was in receipt of correspondence from the City of London respecting a resolution on the above-noted matter.

The Committee agreed to **receive** the following resolution for information purposes:

That the following resolution from the City of London respecting a Petition to the Provincial Minister of Community and Social Services for the continuation of Sheltered Workshops as a Program of Choice within the Social Services System, be received:

> THAT the action taken by the Municipal Council of the City of London on 1992 August 4, in having adopted Clause 4 of the Seventeenth Report of the Community and Protective Services Committee, indicating the fact that it is the position of the Municipal Council that sheltered workshops should continue as a program of choice within the Social Services System be reaffirmed; and,
>
> THAT the Honourable Marion Boyd, Minister of Community and Social Services, be so advised; and further,
>
> THAT a copy of this resolution be forwarded to the local Members of the Legislative Assembly and to the Association of Municipalities of Ontario for their endorsement and support; and further,
>
> NOTWITHSTANDING Council Policy 5 (10), a copy of this resolution also be forwarded to all Ontario municipalities with a population in excess of 50,000 residents for their endorsement and support, together with the request that they advise the Minister of Community and Social Services, their local Members of the Legislative Assembly and the Association of Municipalities of Ontario of their support of this matter.

7. HAMILTON FARMERS' MARKET SUB-COMMITTEE

(a) Partnership Agreements - Hamilton Farmers' Market.

The Committee was in receipt of a report from the Secretary of the Hamilton Farmers' Market Sub-Committee dated 1993 January 14, respecting the above-noted matter.

Some discussion ensued with respect to this and it was agreed that Sub-Section (b) of the Recommendation which reads "That copies of this report be made available to the Hamilton Farmers' Market Sub-Committee", be deleted as it is recognized that this report should be presented firstly to the Finance and Administration Committee for consideration.

The Committee then approved the following amended resolution:

> That the City Solicitor be requested to review and report on Partnership Agreements at the Hamilton Farmers' Market, such review to include options available to either control, limit or direct the type of Partnerships which can be entered into.

(b) Enforcement Procedures for Unauthorized Encroachment - Hamilton Farmers' Market.

The Committee was in receipt of a report from the Secretary of the Hamilton Farmers' Market Sub-Committee dated 1993 January 14, respecting the above-noted matter and approved the following:

That the following procedures to regulate unauthorized encroachment at the Hamilton Farmers' Market be approved:

"(a) That all stallholders be forwarded a letter requesting compliance

(b) Step One: Verbal Warning
Step Two: Written Notification witnessed by Stallholder Executive Member (compliance within (7) seven days)
Step Three: Written Notification advising of possible Suspension or Termination of Contract (Failing Settlement at Step Two).

(c) Recommendation of appropriate disciplinary action to Market Sub-Committee/Finance and Administration Committee."

8. TREASURER

Realty and Business Tax Prelevy Mill Rates for 1993.

The Committee was in receipt of a report from the Treasurer dated 1993 January 5, respecting the above-noted matter and approved the following:

That the prelevy residential and non-residential mill rates for 1993 be established at figures slightly below 50% of the 1992 respective mill rates as follows:

(a) (i) That a real property tax prelevy mill rate of 196 mills be established for 1993 to be billed in two instalments of 98.0 mills each, payable 1993 February 26 and 1993 March 31. This prelevy rate represents 49.976% of the 1992 residential mill rate.

(ii) That a business tax prelevy mill rate of 230 mills be established for 1993 to be billed in one instalment, payable 1993 February 26. This prelevy rate represents 49.849% of the 1992 non-residential mill rate.

(b) That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton-Wentworth, based on approximately 50% of the 1992 charge, to be billed in two equal instalments, payable 1993 February 26 and 1993 March 31.

ADDED - TASK FORCE ON CIVIC AWARDS REPORT

The Committee was in receipt of a report forwarded to them under separate cover prior to the meeting from the Secretary of the Task Force to Review the Civic Awards Programme dated 1993 January 20, respecting the final report of the Task Force for revisions to the City of Hamilton's Civic Awards Programme.

Some discussion ensued with respect to that and general consensus was given that the Task Force should be commended for its work and the alternative selections being proposed.

Some suggestion was given that when these plaques are prepared that a label be placed on the back of each award specifying the name of the recipient and the sport they are being recognized for. It was recognized that this addition could be done in-house.

The Committee then approved the following:

(a) That the City of Hamilton Civic Awards Programme Regulations which were adopted by City Council on 1956 September 25th, and amended on 1991 September 24th and 1992 June 30th, be further amended as follows:

(i) delete award presentations being given for second and third time recipients of awards of the same class.

(ii) delete the awarding of Civic gold and silver rings for National and International Competitions and National or International records being broken at a Provincial competition and substitute a Civic plaque consisting of a gold City of Hamilton medallion and a gold "National" or "International" plate affixed to a wooden base.

(iii) delete the awarding of Civic gold pins for Provincial Junior or Senior Competitions and award a Civic silver pin for all participants who win a Provincial Championship in a Sports or Cultural Competition.

(b) That the Civic Award Regulations, attached herewith and marked Appendix "B", which reflects the revisions referred to above in Sub-Section (a), be adopted; and,

(c) That the Manager of Purchasing be authorized to call for tender on a Civic silver pin and a Civic plaque.

Note: Alderman Drury opposed.

9. PRIVATE AND CONFIDENTIAL AGENDA

The Committee agreed to move In-Camera to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session and approved the following:

AA. CITY SOLICITOR AND DIRECTOR OF PUBLIC WORKS

Dionnisios Mavridis and Gina Mavridis vs. the City of Hamilton.

(a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 92-CU-45409 by payment to the Plaintiffs, Dionnisios Mavridis and Gina Mavridis, of the sum of $6000. in full satisfaction of their claim for damages, interest and costs; and,

(b) That the Plaintiffs, Dionnisios Mavridis and Gina Mavridis be required to provide the City of Hamilton with a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 92-CU-45409 be dismissed without costs.

The Committee further approved that the Chief Administrative Officer should report back to the Committee with respect to the continuing role of the City in Non-Profit Housing.

The Chief Administrative Officer also spoke to the members of the Committee to remind them that should the Hamilton Board of Education Caretaker's Strike be resolved in the near future that immediately the Recreation Centres will be cleaned by City staff as per recent Council approval.

11. ADJOURNMENT

There being no further business the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, ACTING CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder.

Susan K. Reeder
Secretary
1993 January 21

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 20

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

JAN 2 2 1993

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: Pool System Renovations, Ryerson Recreation Centre

RECOMMENDATION:

a) That a purchase order be issued to Gall Construction Limited o/a Acapulco Pools, Kitchener, in the amount of $159,724.25 including all applicable taxes for Pool System Renovations at Ryerson Recreation Centre, being the lowest of six tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender; and,

b) That this expenditure be financed through Operating Account No. CH56103 31330; and,

c) That a contract be entered into satisfactory to the City Solicitor.

T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND: Tender Analysis

Gall Construction Limited o/a Acapulco Pools, Kitchener	$159,724.25
Beta & Associates Inc., North York	184,093.50
Oakville Custom Swim Pools Ltd., Oakville	192,030.76
Michael Bruen Construction Limited, Hamilton	205,440.00
Comstock Canada, Burlington	213,308.78
309917 Ontario Limited o/a Western Plumbing & Heating, Hamilton	222,209.58

Above prices include all applicable taxes

c.c. Law Department
Accounts Payable

B. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 28

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: Supply and Delivery of Worker's Uniform Clothing during 1993, Purchasing Stores

RECOMMENDATION:
That a purchase order be issued to J.P. Hammill & Son Limited, Guelph, for the supply and delivery of Worker's Uniform Clothing as and when required during 1993 to Purchasing Stores, being the lowest acceptable tender of four received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Stores Inventory Account No. CH56103 28999, as follows:

Grey Trousers	$12.95 each
Short Sleeve Grey Shirts	11.95 "
Long Sleeve Grey Shirts	12.95 "
Grey Overall Jackets	25.95 "
Grey Overall Pants	26.95 "
Grey Crested Coveralls	26.50 "

Applicable taxes extra

T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND:	J.P.Hammill & Son	Industrial Textiles	Anchor Textiles	Starfield Safetywear
Grey Trousers	$12.95	$16.00	$13.00	$16.90
Short Sleeve Grey Shirts	11.95	16.00	11.65 *	13.50
Long Sleeve Grey Shirts	12.95	17.95	12.70 *	14.33
Grey Overall Jackets	25.95	No Bid	No Bid	33.75
Grey Overall Pants	26.95	No Bid	30.95	25.75 *
Grey Crested Coveralls	26.50	29.00	24.45 *	34.75

Unit prices, all taxes extra. * Material does not meet our specifications. Estimated expenditure during 1993 $91,880.

CITY OF HAMILTON

- RECOMMENDATION -

C. (9)

DATE: 1993 January 25

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.J. Schatz
City Clerk

JAN 2 [illegible] 1993

SUBJECT: **National Law Day - Use of Council Chambers**

RECOMMENDATION:

(a) That approval be given to the request of the Law Department to use Council Chambers on Thursday, 1993 April 15 from 9:00 a.m. - 11:00 a.m. for a "mock" prosecution, incorporating several current legal issues, on the occasion of National Law Day.

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

National Law Day is an occasion on which the legal profession across Canada makes a special outreach/educational and communication effort to the public, to show how some laws affect them in their daily affairs.

In 1992 the Law Department staged a "mock" Municipal Board Land Rezoning Appeal Hearing. This year the Law Department propose producing a "mock" prosecution, incorporating several current legal issues, for the interest of the public and members of Council.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

C. (11)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 25

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: **Winterfest Media Conference**

RECOMMENDATION:

(a) That approval be given to the request of the Culture and Recreation Department to use the second floor Council annex on Tuesday, 1993 February 09 from 12:00 noon until 1:30 p.m. for a Winterfest Media Conference.

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Culture and Recreation Department propose to hold the Winterfest Media Conference outside the Council Chambers on Tuesday, 1993 February 09 to which the sponsors, media, Winterfest Committee and Aldermen will be invited.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

CITY OF HAMILTON

- RECOMMENDATION -

C. (iii)

DATE: 1993 January 27

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: **Use of Council Chamber -
Mayor's Race Relations Committee**

RECOMMENDATION:

(a) That permission be granted to the Mayor's Race Relations Committee to use the Council Chamber and second floor foyer on Sunday, 1993 March 21 from 2:00 p.m. - 5:00 p.m. to celebrate International Day for the Elimination of Racial Discrimination.

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Mayor's Race Relations Account No. CH55236 82030 for staff overtime associated with this event in the approximate amount of $120.00.

BACKGROUND:

March 21 was declared International Day for the Elimination of Racial Discrimination by the United Nations in 1966 in commemoration of the Sharpeville massacre in South Africa when peaceful demonstrators against apartheid were killed and wounded.

1993 will be the third year in which the Mayor's Race Relations Committee has commemorated the March 21st International Day for the Elimination of Racial Discrimination by holding a reception and rally at City Hall.

2 ...

As in previous years members of City Council together with representatives of the Region, Police Department, and members of ethno-cultural groups in the City of Hamilton will be invited to celebrate this special day.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

C. (iv)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 29

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: **Temporary Extension of Premises Licence**

RECOMMENDATION:

That approval be given to ratify the poll taken of members of City Council on Friday, 1993 January 29th of the following:

"(a) That Hamilton City Council recognizes the economic significance of the plan of Don Cherry's Grapevine Restaurant at 157 Main Street East in Hamilton to extend its business into the adjacent Parking Lot #7 on Sunday, 1993 January 31st from 1:00 - 6:00 p.m. to run an outdoor community event in which the service of alcoholic and non-alcoholic drink will be available for Don Cherry's customers only in conjunction with the Super Bowl Game which starts at 6:00 p.m. on Sunday night (1993 January 31st); and as such,

(b) That the City Clerk be directed to advise the Liquor Licence Board of Ontario that Hamilton City Council has no objection to the issuance of a Temporary Extension of Premises licence for this event.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

/ 2 ....

BACKGROUND:

A request from Don Cherry's Grapevine was received on 1993 January 27th for a resolution from City Council stating that the municipal Council has "designated the event to be of significance, and does not object to the event taking place in Parking Lot #7."

The Hamilton Parking Authority Board has given approval to the contractual use of Parking Lot #7. A rental contract for this use was executed.

City Council's endorsement of the above noted resolution, allowed the Liquor Licence Board of Ontario to consider the application from Don Cherry's Grapevine Restaurant for a Temporary Extension of Premises licence for this event. The final decision for this licence rested with the L.L.B.O.

SKR/dbm

D.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 19

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Allan C. Ross,
Treasurer

SUBJECT: **Tax applications processed under Section 443, Subsection (5) of the Municipal Act, Chapter 45 Statutes of Ontario, 1990**

RECOMMENDATION:

That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of $19,279.21 be approved and charged to CH53307-24104 Tax Remissions.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: Allan C. Ross

N/A
See above recommendation

BACKGROUND:

In accordance with Section 443, Subsection (5) of the Municipal Act, R.S.O., 1990, this Section provides for the Municipality a means whereby Municipal Councils may approve tax refunds due to clerical errors in the Assessment Roll. The period for application is limited to two years preceding the date of application.

Such applications are only valid and therefore may only be heard and approved by Council providing that certain prior conditions are met; most importantly that all applications must be confirmed and approved by the Regional Assessment Commissioner.

As much as the Regional Assessment Commissioner has confirmed and approved these appeals, it is felt that the above recommendation is justified.

City of Hamilton
Treasury

"443" APPLICATIONS

A - Out of Business
B - Reduced Space
C - Fire, Demolition, Otherwise
E - Overcharged (Clerical Error)
F - Undercharged (Clerical Error)
G - Tax Exempt

REALTY

Application Number	Roll Number	Appeal Year	Reason for Appeal	Tax Cancellation
10235	030 2115 3840	1990	C	119.30
10238	070 6650 7320	1990	E	229.11
10239	070 6650 7320	1989	E	203.52
10240	080 9810 5030	1990	C	37.94
10241	080 9810 5030	1989	C	33.70
10242	070 8810 4130	1990	C	48.70
10243	020 1435 7740	1991	E	1,617.16
16216	040 2835 1980	1991	C	371.48
16219	070 8150 4390	1991	G	00.00
16220	070 8150 4390	1990	G	00.00
16221	030 2365 3790	1990	E	00.00
16222	080 9410 6900	1991	G	00.00
16223	070 8830 0650	1991	G	256.77
16224	070 6440 7000	1991	G	647.08
16225	070 8150 3970	1991	C	30.40
16227	070 8230 0130	1991	C	43.25
16228	070 8230 0130	1990	C	41.95
16229	010 0510 2250	1990	E	129.88
16230	010 0510 2250	1991	E	133.89
16231	040 2850 0970	1991	D	87.14
16232	030 2420 7580	1991	C	00.00
16233	050 4610 0460	1990	C	1,126.17
16926	010 0450 6380	1991	G	00.00
16929	040 3410 3630	1991	D	8.56
16930	040 3450 9340	1991	C	17.92
16932	050 5140 2950	1991	C	35.73
16933	070 6910 1072	1990	E	00.00
16934	070 6910 1072	1991	E	00.00
16935	070 8510 0490	1990	E	00.00
16936	070 8510 0490	1991	E	00.00
16938	081 0310 4241	1990	C	00.00
16939	081 0310 4241	1991	E	169.24

City of Hamilton
Treasury

"443" APPLICATIONS

A - Out of Business
B - Reduced Space
C - Fire, Demolition, Otherwise
E - Overcharged (Clerical Error)
F - Undercharged (Clerical Error)
G - Tax Exempt

Application Number	Roll Number	Appeal Year	Reason for Appeal	Tax Cancellation
16940	081 0610 3430	1991	E	954.69
16941	080 9210 6760	1990	C	24.99
16942	080 9210 6760	1991	C	103.05
		TOTAL REALTY		6,471.62
BUSINESS				
10237	040 2815 0010 0010	1990	E	1,166.35
16217	020 1435 6870 0020	1991	B	792.03
16226	020 1312 1000 0201	1991	E	14.55
16234	020 1445 9240 0300	1991	A	325.26
16922	030 2710 0850 0120	1991	A	10,237.81
16928	030 2115 3870 0280	1991	A	211.86
16931	040 3450 9340 0040	1991	A	59.73
		TOTAL BUSINESS		12,807.59
		TOTAL ADJUSTMENT		19,279.21

1993 January 20

DJW/ce

E.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 1

REPORT TO: Alderman D. Ross, Chairperson
and Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Minutes - Keep Hamilton Clean Committee meeting held 1992 December 9th.

(b) Minutes - French Sub-Committee meeting - 1992 November 13.

(c) Joint Information Report - City Clerk and Director of Culture and Recreation - Administration of Civic Awards Programme - Transfer to Culture and Recreation Department.

(d) Information Report - Secretary, English Language Sub-Committee - Bookdrive.

(e) Information Report - Chief Administrative Officer - Windemere Basin Rehabilitation Project Status Update.

(f) Information Report - Fire Chief - City of Mississauga - Request for Comments on Residential Fire Sprinkler Systems.

Susan K. Reeder.

"Copy sent to Mr. A. Ross, Treasurer - 1993 January 25th".

OFF

REC.
REF'
REF'
REF'

5.

ACTION: Prepare correspondence for F&A Committee
REFER TO F. & A. CTTE.

CITY CLERK'S DEPARTMENT

MEMORANDUM

****

TO: J. J. Schatz
City Clerk
City Clerk's Department

YOUR FILE:

FROM: Tina Agnello, Secretary
Football Hall of Fame and Museum
Management Committee

OUR FILE:
PHONE: 546-2729

SUBJECT: **City of Hamilton**
Parade Float for 1993 Grey Cup

DATE: 1993 January 18

At the Football Hall of Fame and Museum Management Committee meeting of 1992 January 11, the following resolution was passed:

> That a letter be forwarded to the City Clerk directing that an upset fee of $30,000 be presented before the Finance and Administration Committee to be placed in the 1993 budget for parading a float on behalf of the City of Hamilton to be used in the 1993 Grey Cup Parade.
>
> Note: The City of Hamilton has historically paraded a float in the Grey Cup Parade as it is a high profile and nationally televised event that brings recognition to the City of Hamilton as the home of the Canadian Football Hall of Fame and Museum and the Hamilton Tiger Cats. In 1992, $15,000 was allocated for parading but was not used as the Grey Cup Parade was not held. The money to be budgeted is allocated to Account #CH55309-80040.

cc: B. Tidball, Chairperson, Football Hall of Fame and Museum Management Committee
E. Chalupka, Managing Director, Football Hall of Fame and Museum
✓ S. Reeder, Secretary, Finance and Administration Committee

8(a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 28

JAN 27 1993

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: **Executive Council of Hamilton Neighbourhoods**

RECOMMENDATION:

(a) That consideration be given to the request of the Executive Council of Hamilton Neighbourhoods to use a meeting room at City Hall on a monthly basis to hold their meetings.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The citizen group, Citizens for Citizens has been meeting at City Hall for a number of years. In 1993 they will discontinue this practice and hold their meetings outside City Hall. However, they are requesting that their Executive Council be granted approval to use a City Hall meeting room on a monthly basis.

2 ...

The Executive Council of Hamilton Neighbourhoods is comprised of representatives of Neighbourhood Associations, groups or committees who propose meeting on the second Thursday of each month from approximately 7:00 p.m. to 9:30 p.m. at City Hall.

The purpose of this group is to share information on neighbourhood activity within the City and to discuss neighbourhood issues. All meetings will be open to the public and to Ward Aldermen, when they wish to attend. The position of Chair of this group is rotated among the members.

This group is not associated with any City Hall Department or Committee and does not utilize City staff time. The use of a City Hall meeting room was initiated by an Alderman and it is understood that the meetings are attended by at least two Aldermen.

In view of the heavy demand for meeting space at City Hall, but bearing in mind the fact that this group has been utilizing this space for a number of years and has been supported by Aldermen, the foregoing recommendation is made in order that consideration be given as to whether this group should continue to use City Hall meeting space.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

8(b.)

CITY OF HAMILTON

- RECOMMENDATION -

JAN 27 1993

DATE: 1993 January 28

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: **Display of Artwork**

RECOMMENDATION:

(a) That approval be given to the request of Mr. John Stirling to display paintings on the second floor of City Hall from Monday, 1993 February 22 until Friday, 1993 March 05.

(b) That the subject art be reviewed by the Arts Co-ordinator to endorse the appropriateness of this display.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Mr. John Stirling is an independent artist (part time) who would appreciate the opportunity to display his paintings of Hamilton at City Hall. Photographs of some of Mr. Stirling's paintings are in the possession of the Secretary.

2 ...

The City Clerk's office has some reservation in making the foregoing recommendation lest the City be inundated with requests from local artists for similar display space. However, it is noted that these paintings are of Hamilton locations and that similar displays have been approved on occasion in recent years. The Clerk's office therefore makes the foregoing recommendation, bearing in mind that a policy on display of plaques, posters, memorabilia is currently being prepared, and on the understanding that this approval in no way set a precedent or conflict with such policy.

The photographs of the paintings have been reviewed by the Arts Co-ordinator and deemed to be appropriate for display at City Hall.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

CITY OF KANATA
580 TERRY FOX DRIVE, KANATA, ONTARIO K2L 4C2 TELEPHONE (613) 592-4281

9.

ACTION: For F&A agenda

11 January 1993

Ontario Municipal Clerks

Dear Sir/Madam

Council for the City of Kanata passed the attached resolution at a meeting on December 22, 1992, with respect to the Federal Freeze on Grants-in-lieu of Taxes.

This is further to the Communique from the Federation of Municipalities of Ontario.

Yours truly

M. Meikle

Maureen Meikle, AMCT
City Clerk
City of Kanata

MM/cs

attch.

CITY OF KANATA
580 TERRY FOX DRIVE, KANATA, ONTARIO K2L 4C2 TELEPHONE (613) 592-4281

I, Maureen Meikle, Clerk for the Corporation of the City of Kanata, do hereby certify that the following is a true copy of a resolution passed by Kanata City Council at a meeting held on December 22, 1992.

WHEREAS the new Federal formula for calculating grants-in-lieu of taxes will permanently reduce the revenue which municipalities would otherwise receive; and,

WHEREAS these changes amount to an unprecedented federal intrusion into the setting of municipal property tax rates; and,

WHEREAS the current Minister of Finance is reneging on the commitment of his predecessor to take into account the municipal budgetary cycle in implementing such measures; and,

WHEREAS Kanata's residential, commercial and industrial ratepayers will bear the cost of the government decision; and,

WHEREAS grants-in-lieu of taxes were to be based on the property taxes; and,

THEREFORE BE IT RESOLVED that Council write to the Minister of Finance, Minister of Public Works and Kanata's Member of Parliament to request that the Federal Government reverse this unfortunate decision. The Federal Government should pay equal property taxes on their properties, the same as all other property owners; and,

THAT the City urgently request a meeting with Mr. Paul Dick to discuss this pressing issue, and that he be asked to set up a meeting with the Finance Minister to discuss this, as soon as possible; and,

THAT a copy of this resolution be sent to all municipalities in Ontario.

GIVEN under my hand and the Seal of the said Corporation, at the City of Kanata this 11th day of January, 1993.

M. Meikle

Maureen Meikle, AMCT
City Clerk

10.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 28

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

JAN 27 1993

FROM: Stella M. Glover, Secretary
Taxi Advisory Committee

SUBJECT: **School Transportation**

RECOMMENDATION:

(a) That the necessary steps be taken to immediately enforce the provisions of the Taxicab and Livery By-laws of the City of Hamilton in order that any carriers of school children within the boundaries of the City of Hamilton who fail to comply therewith be immediately charged with such offences as defined in Schedules 4 and 4A of Licensing By-law 79-323, as amended.

S.M. Glover

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

At its meeting of Tuesday, 1993 January 19 the Taxi Advisory Committee discussed the transportation of school children and the fact that some companies were transporting children for the Board of Education using vehicles which had public vehicle licences but were not licensed by the City of Hamilton. It was noted that a Public Vehicle licence was only effective for vehicles operating between municipalities and that vehicles operating solely within the City must be licensed by the City.

2 ...

The Licence Division Manager advised the Committee that Orders to Comply had been issued to unlicensed companies transporting school children and that several of these companies would be appearing before the Licensing Committee at its 1993 February 10 meeting to request an exemption as directed by City Council at its meeting held 1992 December 08. A copy of the resolution respecting this issue is attached.

The Taxi Advisory Committee was extremely concerned that these companies are being allowed to continue operating until such time as their appeal is heard by the Licensing Committee and directed that the City be requested to take the necessary steps to enforce the applicable By-laws.

cc: Ald. D. Drury, Chairperson, Taxi Advisory Committee
Chairperson & Members, Licensing Committee
S. Dembe, Licence Division Manager
File

14. (a) (i) That the Livery Vehicles By-law be amended so as to create one class of licence for limousine service. Current rates or fares are to be maintained; and,

(ii) That the licensing and regulating of Class "B" Livery Vehicles be repealed; and,

(iii) That the Annual Licence Fee for a Private Taxicab be reduced to a nominal fee of $5. where a Wheelchair Accessible Vehicle is utilized; and,

(iv) That the definition of taxi be extended to include vehicles with a legal capacity of ten persons including the driver; and,

(v) (1.) That any vehicle with a capacity in excess of 10 persons, including the driver, not be regulated; and

(2.) That persons operating smaller vehicles and providing special transportation services be requested to attend the Licensing Committee to explain why they should be excluded from regulation under the Taxicab By-law; and,

(vi) That, in 1993 February, a discussion paper be presented by the Licence Division on a revised Taxicab By-law to improve service to the public, reduce costs to the Taxi Industry and simplify the By-law respecting enforcement and compliance, with an aim to allowing the taxi industry to be more competitive on all fronts; and,

(vii) That any transportation of school children that originates and terminates within the boundaries of Hamilton be carried out by:

(1.) A school bus licensed by the Ministry of Transportation to carry ten (10) or more passengers or,

(2.) A taxi licensed by the City of Hamilton to carry nine (9) passengers or less; and,

(b) That staff develop by-law provisions implementing the above, with an aim to ensuring enforcement by complaint and inspection; and,

(c) That the City Solicitor be authorized and directed to prepare the necessary draft By-law to be brought back to the Taxi Advisory Committee for further consideration.

10(a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 29

REPORT TO: Mrs. S. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Taxi Advisory Committee - School Transportation

RECOMMENDATION:

(a) That no action be taken on the request by the Taxi Advisory Committee to immediately enforce the provisions of the Taxicab and Livery By-laws of the City of Hamilton until after the Licensing Committee has dealt with this issue.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

For the information of members of the Committee, City Council at its meeting held December 8, 1992 directed that the Licensing Committee deal with this matter and on February 10, 1993 will be hearing submissions from all interested parties.

11.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 27

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Auditor Selection Committee

SUBJECT: Appointment of an External Auditor

RECOMMENDATION:

a) That the firm of MacGillivray Partners, Chartered Accountants be awarded the contract for auditing services and appointed as municipal auditor for the City of Hamilton, including its Local Boards, Hamilton Entertainment and Convention Facilities Inc., Hamilton Hydro Electric System and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton for the year 1993 at a fee of $95,000 including completion of the audit of the City's Financial Report.

b) That the by-law respecting "To Appoint An External Auditor" be approved by City Council.

Allan C. Loss

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Audit fees for 1993 chargeable by the firm of MacGillivray Partners, Chartered Accountants for the City of Hamilton, Local Boards, affiliated organizations and the Hamilton Hydro Electric System amount to $95,000 in comparison to their 1992 audit fee of $119,032.

BACKGROUND:

Bill 122, the Municipal Statute Law Amendment Act, 1991, which received Royal Assent on June 27, 1991, including the following revisions:

(i) The Ministry of Municipal Affairs will no longer be licencing municipal auditors.

(ii) A municipal auditor must hold a valid public accountants' licence issued under the Public Accountancy Act.

(iii) The City must now appoint the municipal auditor for a term not to exceed five years.

(iv) Council may choose to re-appoint the current auditor or to appoint a new auditor, and this option is available each time the term of appointment expires.

City Council appointed the present auditor until December 31, 1992 and to complete the 1992 financial report under the City By-Law No. 91-190 dated 8th October, 1991.

City Council authorized the City Treasurer on September 29, 1992 to call for proposals for External Audit Services for a five-year term commencing with fiscal year 1993. A two phase selection process was recommended as follows:

"i) The first phase Audit Proposal Committee will consist of five staff members: Joe Pavelka, Chief Administrative Officer (C.A.O.); Allan Ross, Treasurer; John Leuser, Director of Finance and Administration of Hamilton Entertainment and Convention Facilities Inc.; Jim Hindson, Director of Information Systems; Len King, Building Commissioner; and Nik Adhya, Manager of Budgets, as the Secretary. The Committee will elect their chairman, conduct appropriate interviews with the Accounting firms, prepare a short list and recommendation to the political members of the Audit Proposal Committee.

BACKGROUND: - Continued

ii) The final phase Audit Proposal Committee will consist of the Mayor, the Chairman and Vice-Chairman of the Finance and Administration Committee. This Committee will make the final recommendation to the Finance and Administration Committee and to Council to appoint an External Auditor as of January 1, 1993 for 5 years."

The Staff Selection Committee members met on several occasions starting September 30, 1992 to review fees, professional hours, qualifications, eligibility, experience, audit approach ancillary services, etc. and set up evaluation criteria as follows:

External Auditor Selection - Evaluation Criteria

1. **Audit Fees**

2. **Firm**

   - Public sector and Hydro Commission audit experience
   - Reference
   - Geographical location of service office

3. **Personnel assignment to audit**

   - Public Sector and Hydro Commission audit experience
   - Commitment to provide staff continuity
   - Relevant educational background, specialized skills, training

4. **Audit approach**

   - Type of audit program
   - Adequacy of sampling techniques and computer audit expertise
   - Adequacy of proposed staffing plan (hour and level)

5. **Ancillary Services**

6. **Presentation and compliance with Request for Proposal**

BACKGROUND: - Continued

Two briefing sessions were arranged on October 7, 1992 and October 22, 1992 and the participating audit firms were provided with 20 pages of written answers to their questions.

The five submissions, received as a result of the tendering process, are listed below with their total audit fees:

	1993	1994	1995	1996	1997
(A) MacGillivray Partners	95,000	97,000	99,000	101,000	103,000
(B) Doane Raymond Pannell	96,000	99,000	104,300	109,500	115,600
(C) Deloitte & Touche	105,000	107,000	109,000	111,200	113,400
(D) Ernst & Young	116,200	111,200	106,300 (1) plus	106,400 (1) plus	106,500 (1) plus
(E) Peat Marwick Thorne	125,300	125,300	129,000 (2)	132,700 (2)	136,500 (2)

NOTE: All fee quotations for 1993 and 1994 are firm, 1995 to 1997 are estimates only.

(1) $105,000 plus lesser of rate of inflation and any increase in City's mill rate plus $1,300 for 1995, $1,400 for 1996 and $1,500 for 1997.

(2) Although the firm used approximately 3% as the estimated increase in fees and expenses for 1995, 1996 and 1997, they will limit their fee increase to the lesser of the level of increase in the Ontario CPI or the published level of increase in the City of Hamilton Budget as approved by Council.

On November 26, 1992 five audit firms were interviewed by the Staff Committee. During the interview all aspects of fees, municipal experience, qualifications of staff (their training and quality control), automated audit performance, statutory qualification, etc. were reviewed by each member of the Committee and a point score compiled.

On January 8, 1993 a second interview was held with two audit firms short-listed for further consideration.

As a result of these evaluations staff concluded that MacGillivray Partners' proposal offered the best package of services/fees to the City and the other audit clients. The first phase (staff) Audit Proposal Selection Committee therefore unanimously recommended MacGillivray Partners as the auditor for the City of Hamilton, its Local Boards and Hamilton Entertainment and Convention Facilities Inc., Hamilton Hydro Electric System and all of the Boards of Management starting in 1993 for a period of up to five years with an appointment on an annual basis. This recommendation was considered and endorsed by the final phase Auditor Selection Committee at a meeting on January 28, 1993.

BACKGROUND: - Continued

Details of the MacGillivray proposal are as follows:

- MacGillivray Partners is a Hamilton based regional firm. It was founded in Hamilton in 1933.

- The entire engagement will be staffed from the Hamilton office.

- Michael G. Collyer, F.C.A., will be the City's engagement partner. Mr. Collyer has been the engagement partner for the City of Hamilton since 1975 and is also responsible for several other major clients in the government area. The Engagement Partner would co-ordinate all of the services rendered by their firm. He would be in charge of planning and execution of the audit and would be the primary contact with the Treasurer, Chief Administrative Officer and members of Council.

- W. Michael Cashion, B.Comm., C.A., will be the City's secondary audit partner. The Secondary Audit Partner would be involved in the planning stage of the audit, the resolution of any audit matters and completion of a second partner quality control review, prior to the issuance of the audit report.

- Carolynn Orth, B.Math, C.A., will be the City's Municipal Audit Manager and would function in that capacity on a continuing basis.

Summary

It is the overall conclusion of the members of both the First and Second Phase Audit Proposal Selection Committee that the City should appoint MacGillivray Partners as the City's external auditor for a period of up to 5 years subject to annual reappointment by City Council.

NRA:jc
Attach

c.c. P. Noé Johnson, City Solicitor
G. Davidson, Secretary-Treasurer, Hamilton Hydro Electric System
J. Pavelka, Chief Administrative Officer
J. G. Hindson, P.Eng., Director of Information Systems
L. King, Building Commissioner
J. A. Leuser, Director of Finance & Administration, H.E.C.F.I.

12.

CITY OF HAMILTON

- INFORMATION -

DATE: 1993 January 28

REPORT TO: Committee of the Whole

FROM: Allan C. Ross
Treasurer

SUBJECT: **Penalty and Interest Rates Charged on Outstanding Taxes**

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Any decrease in the estimated 1993 revenues from penalty and interest results in a corresponding increase in the mill rate requirement.

BACKGROUND:

In September 1992, the Finance and Administration Committee recommended that the Treasurer's report on the current penalty and interest rate of 15% per annum charged on outstanding taxes be reviewed as part of the 1993 current budget deliberations.

The City has the option of charging penalty and interest under the following Legislation;

a) The Municipal Act which allows a maximum rate of 15% per annum or,

b) The Municipal Interest and Discount Rates Act which allows a rate of 1½% above the prime rate of the chartered bank that has the highest prime rate at the time the by law is passed by Council.

The current penalty and interest rate of 1¼% per month or 15% per annum is imposed under the provisions of the Municipal Act. It should be noted, however, that penalty and interest are calculated on a simple interest rather than the compound interest basis used by most financial institutions.

The penalty and interest rate charged on tax arrears has remained relatively stable over the years and has been established at a level higher than available debt financing in order to encourage taxpayers to give priority to meeting their financial obligations to the City.

BACKGROUND: - continued

The annual rates charged by the City of Hamilton over the past years are as follows;

January 1970 - December 1979	12%	- Municipal Act
January 1980 - October 1981	15%	- Amendment to Municipal Act
November 1981 - February 1982	22.5%	- Municipal Interest and Discount Rates Act
March 1982 - February 1983	18%	- Municipal Interest and Discount Rates Act
March 1983 - Present	15%	- Municipal Act

Over the period since 1983, prime interest rates have fluctuated significantly from a high of 14¾% to a low of 6¼%.

The following is a summary of the impact on the 1993 estimated penalty and interest revenues of $7,300,000 if a rate reduction is proposed under either Legislation. Any such reduction would have to be made up through increased requirements on the mill rate.

Municipal Act Rates

Current Rate	Alternative Rates	Percent Reduction	Estimated Revenue Loss	Percent Increase in Residential Mill Rate
15%	14%	6.7%	$ 489,100	.4 % +
	13%	13.3%	970,900	.9 % +
	12%	20.0%	1,460,000	1.3 % +
	11%	26.7%	1,949,100	1.8 % +
	10%	33.3%	2,430,900	2.2 % +
	9%	40.0%	2,920,000	2.6 % +

Municipal Interest and Discount Act Rates

If the City were to consider lowering the rate to prime plus 1½% under this Act the effective rate of penalty and interest on tax arrears would be adjusted to 8.25% (based on the current prime rate of 6.75%), a rate well below many personal loan rates. This would represent a reduction of 45% from the current rate of 15% per annum and on an entire year basis would result in a 1993 revenue loss of approximately $3.3M, which would result in an increase of 2.9% in the 1993 residential mill rate.

As part of our previous report, we surveyed other municipalities in Ontario and all surveyed were charging the rate of 15% per annum with the exception of the City of Toronto which is charging an annual rate of 13.1% per annum.

BACKGROUND: - continued

Summary

In setting an appropriate penalty and interest rate, it is necessary to consider the effect of such rates upon City tax collection efforts and penalty and interest revenues, as well as the effect of such rates upon taxpayers attempting to meet their property tax obligations to the City. Present rates are set at a relatively high rate and are consistent with the rates charged by most other municipalities surveyed.

To consider lowering this rate to the prime rate plus 1½ % under the provision of the Municipal Discount and Interest Rates Act would mean that many tax payers would be able to obtain "financing" through tax arrears at a rate lower than the rate offered by financial institutions. This is not the intent of our tax arrears penalty rate, and would certainly not support efforts to collect outstanding arrears and keep property taxes current. Any lowering of penalty rates under the Municipal Act could also have a similar effect, depending on the extent of the rate reduction.

Allan L. Lowe

TWD/an

13.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: February 1, 1993

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: D. Kevin Beattie
Grants Co-Ordinator

SUBJECT: **1993 GRANT PROCESS**

RECOMMENDATION:

The Grants Process Group has met and respectfully recommends:

a) that the process for the 1993 General Grants as outlined on the attached Appendix A, which will require a special Committee of the Whole meeting with a proposed date of March 26, 1993 to consider and finalize the 1993 General Grants (a process similar to that used for the 1992 General Grants) be approved;

b) that all references to the requirement for audited Financial Statements be amended to apply to all Grant Recipients who receive a Grant of $10,000 or more, and that the audited statements are for the fiscal year in which the Grant Recipient receives the grant;

c) that the 1993 Convention/Reception Application and Policy be amended by the following:

   i) changing all references to the Grants Review Group to the *GRANTS PROCESS GROUP*;

   ii) stating that any approved grant monies are to be used for the stated purpose of the funds, otherwise repayment of all grant monies is required.

D.K. Beattie, Grants Co-ordinator

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1993 Grants Budget will be finalized during the 1993 Budget deliberations which has been scheduled for February 26, 1993. At this point in the budget process there is no increase in the total Grants Budget which remains at $448,290, the 1992 level.

BACKGROUND:

At the November 19th 1992 meeting of the Finance and Administration Committee, the Committee received a report concerning the 1993 Grant Application and Policy. At that time the deadline of December 31, 1992 was established along with some minor modifications to the application. The process for the consideration of the 1993 General Grants was delayed pending clarification of some issues. The noted issues were:

a) role of the GRANTS PROCESS GROUP;
b) impact of the Grants Grandfather Task force (report to follow);
c) alternative sources of funding for grants (eg. lotteries etc.);
d) use of categories, specifically "sunset", concerning funding levels;
e) the requirement of audited financial statements.

The recommendations within this report address items (a), (e) and to some degree (c) to the extent that the proposed process requests a review by Licensing to advise of the status of the applicants concerning use of lottery and bingo funds. The remaining issues will be addressed at a subsequent Finance and Administration Committee meeting prior to the deliberation of the 1993 General Grants.

The proposed process as shown on Appendix A and is consistent with that used in 1992. All applicants were requested to make either a 5 minute verbal presentation or a written submission for consideration by the Committee of the Whole. The Committee of the Whole met all day on Thursday March 19, 1992 and received both the verbal and written submissions. The Committee then finalized the 1992 Grant amounts which was not subject to appeal and concluded with a City Council meeting to formally adopt the recommendations.

Appendix A reflects the involvement of the Grants Process Group in receiving information and processing this information to provide background material for the Committee of the Whole consideration of the grants tentatively scheduled for March 26, 1993. The role of the Sports Council and the Arts Advisory Committee was approved by City Council November 24, 1992 along with the deadline and application modifications approved by the November 19, 1992 Finance and Administration Committee meeting.

With respect to the requirement of the audited financial statements, which presently is a requirement if the applicant receives a grant of $5,000 or more, the proposed recommendation is to amend the grant amount received to $10,000 or more. This is consistent with the requirement used by the Regional Municipality of Hamilton-Wentworth. This also recognizes the burden of requiring audited financial statements for groups which receive a grant of $5,000 and could have to expend up to $1,500 to $2,000 for the audited statements.

BACKGROUND: - Continued

The final recommendation addresses some house-keeping measures concerning the use of the Convention/Reception Grant Policy and Applications. This grant recognizes the importance of providing funding to those groups which by way of their event held in Hamilton will assist the local economy. The funding formula of $4.00 per participant to a maximum of $1,500 remains unchanged.

DKB/dkb

Att'd

C.C. J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
B. Sugden, Director of Culture and Recreation
K. Christenson, Secretary of Parks and Recreation Committee
C. Nemeth, Chairperson of the Arts Advisory Sub-Committee
P. Saresky, Chairperson of the Hamilton Sports Council
S. Dembe, Manager of Licensing

1993 GENERAL GRANTS PROCESS AND TIMETABLE

TIMEFRAME

DECEMBER 31/92

APPLICATIONS DUE

Grants Coordinator

FEBRUARY 26/93

Targeted Budget Approval

LICENCING (1)

ARTS ADVISORY (2)

SPORTS COUNCIL (2)

GRANTS PROCESS GROUP

MARCH 5/93

Deadline For Comments From Advisory Groups To Grants Process Group

MARCH 10/93

Deadline For Requesting Verbal Presentations

Information To Committee Of The Whole

MARCH 12/93

Deadline For Requesting Written Presentations

COMMITTEE OF THE WHOLE

MARCH 26,1993

CITY COUNCIL

MARCH 26,1993

(1) Applicants reviewed by Licencing to identify all existing Lottery/Bingo recipients and advise on their success and identify potential candidates for these alternative sources of funds. This information is to be submitted to the Grants Process Group as additional background information for the Committee of the Whole.

(2) Applicants reviewed by Arts/Sports Committees to comment on benefits to respective communities. This information is to be submitted to the Grants Process Group as additional background information for the Committee of the Whole.

14.

NOTICE OF MEETING

COURT OF REVISION

Thursday, 1993 February 4th
11:00 o'clock a.m.
Room 233, City Hall

Susan K. Reeder

Susan K. Reeder
Secretary

AGENDA

The Court will hear objections to special assessments for the following Local Improvements:

1. Walk and Combined Curb - Carling Street, south side from Macklin Street to 98m. easterly.

2. Walk only - Upper Ottawa Street, both sides, from Stone Church Road to Rymal Road West.

   (a) Submission - Appeal - Deborah L. Gordon Electrolysis Ltd. - Unit #4, 1521 Upper Ottawa Street.

3. Walk only - Centennial Parkway, east side, from Hamilton/Stoney Creek limits to Vineyard Road.

4. Walk only - Upper Paradise Road, both sides, from Stone Church Road West to Lunner Avenue.

5. Walk only - Centennial Parkway, west side, from Delawana Drive to Barton Street East.

6. Memo - Secretary, Court of Revision.

7. Adjournment.

"Copy sent to D. Winthrow,
Local Improvement Officer,
Treasury Dept. - 1993 January 29th".

OFFICE OF THE CITY CLE
JAN 2 8 1993
REC. BY SGH
REF'D. TO S.R.
REF'D. TO
REF'D. TO
ACTION: F.Y.A.

2(a.)

Mr.J.J. Schatz-City Clerk

Corporation of The City Of Hamilton

January 23/1993

Dear Sir/Madam

I'AM THE OWNER OF UNIT #4 1521 UPPER OTTAWA STREET HAMILTON FOR WHICH I RECEIVED AN ASSESSMENT FOR THE CONSTRUCTION OF SIDEWALKS ON UPPER OTTAWA. THE ASSESSMENT ON MY PROPERTY IS $974.38 TO WHICH I OBJECT AND REQUEST AN APPOINTMENT AT THE COURT OF REVISION ON THE BASIS THAT THE WORK I;AM BEING ASSESSED FOR WAS PERFORMED PREVIOUS TO MY PURCHASE OF SAID PROPERTY NOVEMBER 29/1991.

TRUSTING THIS MATTER WILL BE RECTIFIED OR I MAY APPEAR AT THE COURT OF REVISION ON DATES ALLOTED.

YOURS TRULY,

DEBORAH L. GORDON
ELECTROLYSIS LTD.
574-THIN.

6.

CITY CLERK'S DEPARTMENT

MEMORANDUM

****

TO:	Members, Finance and Administration Committee	YOUR FILE:	
FROM:	Susan K. Reeder, Secretary Finance and Administration Committee/ Court of Revision	OUR FILE: PHONE:	
SUBJECT:	**Court of Revision Meeting**	DATE:	1993 February 1

For the information of the members of the Finance and Administration Committee, the functions of the Court of Revision were assumed in 1986 by The Executive Committee. This responsibility has subsequently been passed on to the Co-Ordinating Committee and now to the Finance and Administration Committee.

Attached for your information is a copy of Sections 48, 49 and 50 of the Local Improvement Act, R.S.O., 1990, which outlines the powers of the Court of Revision.

Susan K. Reeder.

SKR/dbm
Attachment.

Holding of court of revision

44.—(1) Before a special assessment is imposed, a sittings of the court of revision for the hearing of complaints against the proposed special assessment shall be held.

Time and place

(2) Ten days notice of the time and place of the sittings shall be given by publication, and at least fifteen days before the day appointed for the sittings a notice in Form 4 shall be mailed to the owner of every lot that is to be specially assessed. R.S.O. 1980, c. 250, s. 44.

Roll to be kept open for ten days

45. The special assessment roll shall be kept open for inspection at the office of the clerk for at least ten days next before the day appointed for the sittings of the court of revision. R.S.O. 1980, c. 250, s. 45.

Statement of cost of work for court of revision

46. A statement showing under appropriate heads the actual cost of the work, verified by the certificate of the clerk, assessment commissioner, treasurer or deputy or assistant treasurer of the municipality, shall be delivered to the member who is chair of the court of revision before the meeting of the court. R.S.O. 1980, c. 250, s. 46.

Estimate of cost of unfinished work and unsettled claims

47.—(1) In ascertaining the actual cost of the work under section 46 where, in the opinion of the engineer and assessment commissioner or treasurer, the cost of any unfinished portion of the work and any unsettled claims for lands taken for or injuriously affected by the work will not exceed in amount 25 per cent of the total estimated cost of the work, the engineer and assessment commissioner or treasurer may estimate the cost of such unfinished work, and the amount of all such claims, and the amount may be included in the actual cost to be ascertained and certified under section 46, and shall be deemed to be the correct amount thereof subject to any order made with reference thereto by the court of revision.

Where estimate deficient

(2) If the cost of such unfinished work and unsettled claims exceeds the amount so estimated by the engineer and assessment commissioner or treasurer, the excess over the estimated amount shall be borne by the corporation.

Where estimate excessive

(3) If the cost of such unfinished work and unsettled claims is less than the estimated cost, the balance remaining in the hands of the municipality shall be applied to payment of the rates to be levied under the by-law. R.S.O. 1980, c. 250, s. 47.

Power of court of revision

48.—(1) The court of revision has jurisdiction and power to review the proposed

Audience de la commission de révision

44 (1) Avant qu'un impôt extraordinaire ne soit établi, la commission de révision tient une audience pour entendre les plaintes au sujet de l'impôt extraordinaire projeté.

Date, heure et lieu

(2) Un avis de dix jours est donné, par voie de publication, de la date, de l'heure et du lieu de l'audience et, au moins quinze jours avant cette date, un avis rédigé selon la formule 4 est envoyé par la poste au propriétaire de chaque lot devant être assujetti à un impôt extraordinaire. L.R.O. 1980, chap. 250, art. 44.

Rôle ouvert à l'examen pendant dix jours

45 Le rôle d'imposition extraordinaire est ouvert à l'examen au bureau du secrétaire pendant au moins dix jours avant la date fixée pour la tenue de l'audience de la commission de révision. L.R.O. 1980, chap. 250, art. 45.

État du coût de l'ouvrage destiné à la commission de révision

46 Un état indiquant, sous les rubriques appropriées, le coût réel de l'ouvrage, appuyé du certificat du secrétaire, du commissaire à l'évaluation, du trésorier ou du trésorier adjoint de la municipalité est remis au président de la commission de révision avant l'audience de la commission. L.R.O. 1980, chap. 250, art. 46.

Estimation du coût de l'ouvrage inachevé et des demandes d'indemnisation non réglées

47 (1) Si, au moment de fixer le coût réel de l'ouvrage conformément à l'article 46, l'ingénieur et le commissaire à l'évaluation ou le trésorier sont d'avis que le coût d'une partie inachevée de l'ouvrage et des demandes d'indemnisation non réglées relatives à l'appropriation de biens-fonds appropriés aux fins d'un ouvrage ou aux effets préjudiciables causés aux biens-fonds par l'ouvrage ne sera pas supérieur à 25 pour cent du total du coût estimatif de l'ouvrage, ils peuvent évaluer le coût de l'ouvrage inachevé et le montant des demandes d'indemnisation non réglées. Le montant obtenu peut être ajouté au coût réel devant être évalué et certifié conformément à l'article 46 et il est réputé être exact, sous réserve toutefois de toute ordonnance de la commission de révision portant sur ce montant.

Estimation insuffisante

(2) Si le coût d'un ouvrage inachevé et de demandes d'indemnisation non réglées est supérieur au montant évalué par l'ingénieur et le commissaire à l'évaluation ou le trésorier, l'excédent est imputé à la municipalité.

Estimation excessive

(3) Si le coût d'un ouvrage inachevé et des demandes d'indemnisation non réglées est inférieur au coût estimatif, le solde en la possession de la municipalité est affecté au paiement des impôts à percevoir en vertu du règlement municipal. L.R.O. 1980, chap. 250, art. 47.

Pouvoir de la commission de révision

48 (1) La commission de révision a la compétence et le pouvoir l'habilitant à réviser l'impôt extraordinaire projeté et à y

special assessment and to correct the same as to all or any of the following matters,

(a) where the owners' portion of the cost is to be specially assessed against the land abutting directly on the work,

(i) the names of the owners of the lots,

(ii) the frontage or other measurements of the lots,

(iii) the amount of the reduction to be made under section 28 in respect of any lot,

(iv) the lots which, but for section 63, would be exempt from special assessment,

(v) the lifetime of the work,

(vi) the rate per metre with which any lot is to be specially assessed, and

(vii) the exemption or amount of reduction to be made under section 30 in respect of any lot;

(b) where part of the owners' portion of the cost is to be specially assessed on land not abutting directly on the work, in addition to the matters mentioned in clause (a), as to the lots other than those abutting directly on the work which are or will be immediately benefited by it, and as to the special assessment which such lots should respectively bear;

(c) in all cases as to the actual cost of the work.

No power to alter proportions of cost

(2) The court of revision does not have jurisdiction or authority to review or to alter the proportions of the cost of the work that the lands to be specially assessed and the corporation are respectively to bear according to the provisions of the by-law for undertaking the work. R.S.O. 1980, c. 250, s. 48.

Power to reduce special assessment where gross error

49. Despite subsection 48 (2), the court of revision at any time after the certification of the special assessment roll may reduce any special assessment for the current year and the remaining years of the debenture debt by reason of any gross or manifest error and the amount by which any owner's share of the cost of a work is reduced shall be added to the corporation's share of the cost. R.S.O. 1980, c. 250, s. 49.

apporter des corrections relativement à l'ensemble ou à l'un des éléments suivants :

a) si la partie du coût à la charge des propriétaires doit être financée par voie d'imposition extraordinaire des biens-fonds attenants directement à l'ouvrage :

(i) le nom des propriétaires des lots,

(ii) la longueur de façade ou toute autre dimension mesurable des lots,

(iii) le montant de la réduction à accorder en vertu de l'article 28 relativement à un lot,

(iv) les lots qui, en l'absence de l'article 63, seraient exemptés de l'impôt extraordinaire,

(v) la durée de vie de l'ouvrage,

(vi) le taux au mètre qui s'applique pour l'imposition extraordinaire du lot,

(vii) l'exemption ou le montant de la réduction à accorder en vertu de l'article 30 relativement à un lot;

b) si une part de la partie du coût à la charge des propriétaires doit être financée par voie d'imposition extraordinaire des biens-fonds non attenants directement à l'ouvrage, outre les éléments figurant à l'alinéa a), les lots autres que ceux attenants directement à l'ouvrage qui tirent ou tireront un avantage immédiat de l'ouvrage, et l'impôt extraordinaire qui devrait être imputé respectivement à ces lots;

c) dans tous les cas, le coût réel de l'ouvrage.

Inhabilité à modifier les proportions du coût

(2) La commission de révision ne possède ni la compétence ni l'autorité lui permettant de réviser ou de modifier les proportions du coût de l'ouvrage à imputer respectivement aux biens-fonds devant être assujettis à un impôt extraordinaire et à la municipalité conformément aux dispositions du règlement municipal adopté pour entreprendre l'ouvrage. L.R.O. 1980, chap. 250, art. 48.

Pouvoir de réduire l'impôt extraordinaire en cas d'erreur grossière

49 Malgré le paragraphe 48 (2), en cas d'erreur grossière ou flagrante, la commission de révision peut, à tout moment après la certification du rôle d'imposition extraordinaire, réduire l'impôt extraordinaire de l'année en cours et des années restantes de dette obligataire. Le montant correspondant à la part du coût de l'ouvrage à la charge du propriétaire qui est réduite est ajouté à la part du coût à la charge de la municipalité. L.R.O. 1980, chap. 250, art. 49.

Omission to assess certain lots

50.—(1) Where it appears to the court of revision that any lot that has not been specially assessed should be specially assessed, before finally determining the matter, the court shall adjourn its sittings to a future day and shall cause notice in Form 4 to be given to the owner of the lot of the time and place when the adjourned sittings will be held.

Omission d'imposer certains lots

50 (1) Si la commission de révision estime qu'un lot n'ayant pas été assujetti à un impôt extraordinaire devrait l'être, la commission, avant de rendre une décision définitive sur la question, ajourne l'audience à une date ultérieure et fait remettre un avis rédigé selon la formule 4 au propriétaire du lot, l'informant de la date, de l'heure et du lieu fixés pour la tenue de l'audience ajournée.

Time for mailing notice

(2) The notice shall be mailed at least six days before the time fixed for the adjourned sittings.

Délai de mise à la poste de l'avis

(2) L'avis est mis à la poste au moins six jours avant la date et l'heure fixées pour la tenue de l'audience ajournée.

Power to fix special assessment of lots

(3) If the court of revision determines that any such lot ought to be specially assessed, the court has jurisdiction and power to fix and determine the amount of the special assessment thereon. R.S.O. 1980, c. 250, s. 50.

Pouvoir de fixer l'impôt extraordinaire des lots

(3) Si la commission de révision décide qu'un lot devrait être assujetti à un impôt extraordinaire, la commission a la compétence et le pouvoir l'habilitant à fixer et à déterminer le montant de l'impôt extraordinaire. L.R.O. 1980, chap. 250, art. 50.

When special assessment roll to be final

51. The clerk shall make such corrections in the special assessment roll as are necessary to give effect to the decisions of the court of revision, and the roll when so corrected shall be certified by the clerk, and, when so certified, except in so far as it may be further amended on appeal, the assessment roll and the special assessment are valid and binding upon all persons concerned and upon the land specially assessed, and the work in respect of which the special assessment roll has been made and certified shall be conclusively deemed to have been lawfully undertaken and proceeded with pursuant to and in accordance with this Act. R.S.O. 1980, c. 250, s. 51; 1982, c. 40, s. 5 (3).

Rôle d'imposition extraordinaire définitif

51 Le secrétaire apporte au rôle d'imposition extraordinaire les corrections qui sont nécessaires pour appliquer les décisions de la commission de révision et le certifie ensuite. Le rôle ainsi certifié, sous réserve des modifications pouvant y être apportées en appel, et l'impôt extraordinaire sont valides et exécutoires à l'égard des personnes visées et des biens-fonds assujettis à un impôt extraordinaire. L'ouvrage pour lequel un rôle d'imposition extraordinaire a été dressé et certifié est réputé, de façon concluante, avoir été entrepris et exécuté légalement et conformément à la présente loi. L.R.O. 1980, chap. 250, art. 51; 1982, chap. 40, par. 5 (3).

Appeal to O.M.B.

52.—(1) The council or owner of a lot specially assessed may, within twenty-one days of the mailing of the decision of the court of revision, appeal to the Board.

Appel interjeté à la C.A.M.O.

52 (1) Le conseil ou le propriétaire d'un lot assujetti à un impôt extraordinaire peut, dans les vingt et un jours de la date de mise à la poste de la décision de la commission de révision, interjeter appel devant la Commission.

Powers of Board

(2) The Board has the same jurisdiction and powers as are conferred on the court of revision by section 48 and section 50 applies where it appears to the Board that any lot not specially assessed ought to be so assessed. 1982, c. 40, s. 5 (4).

Pouvoirs de la Commission

(2) La Commission possède une compétence et des pouvoirs identiques à ceux que confère l'article 48 à la commission de révision. L'article 50 s'applique lorsque la Commission estime qu'un lot n'ayant pas été assujetti à un impôt extraordinaire devrait l'être. 1982, chap. 40, par. 5 (4).

Borrowing Powers

Pouvoirs d'emprunt

Temporary loans

53.—(1) The council may agree with any bank or person for temporary advances to meet the cost of the work pending the completion of it.

Emprunts à court terme

53 (1) Dans l'attente de l'achèvement d'un ouvrage, le conseil peut obtenir des avances à court terme auprès d'une banque ou d'une personne, afin d'en payer le coût.

Issue of debentures

(2) The council may,

(a) when the work undertaken is completed; or

(b) when a firm contract for the carrying out of the work has been entered into whereby the cost of completing the

Émission de débentures

(2) Le conseil peut :

a) lorsque l'ouvrage à entreprendre est achevé;

b) lorsqu'un contrat ferme a été conclu pour l'exécution de l'ouvrage en vertu duquel le coût d'achèvement de l'en-

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Public Library
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NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1993 February 18th
9:30 o'clock a.m.
Room 233, City Hall

Susan K. Reeder

Susan K. Reeder
Secretary

AGENDA

1. **PRESENTATION**

   Taxi Advisory Sub-Committee - Alderman D. Drury, Chairperson. (no copy)

2. **DELEGATION**

   Don Fell, John Skirving, Governors, Junior Achievement - Use of the present Kenilworth Police Station.

3. **PRIVATE AND CONFIDENTIAL AGENDA**

4. **PARKING AUTHORITY**

   Parking - Health Building Site - Hunter Street, between James and Hughson.

   (Note: All members of City Council are invited to attend.)

5. **ALDERMAN D. ROSS**

   (a) Mayor's Car.

   (b) Update - Re: School Transportation Issue - to be heard at the 1993 March 4th meeting. (no copy)

6. **CONSENT AGENDA**

7. **CHIEF ADMINISTRATIVE OFFICER**

   (a) Information Report - Windemere Basin Rehabilitation Project Status Update.

   (b) Procedures to be followed for future Court of Revision Hearings.

8. **CITY SOLICITOR**

   Adult Video Stores.

9. **REFERRAL FROM REGIONAL COUNCIL**

   Ad Hoc Committee on Tobacco Control Policy.

   (a) Report - City Clerk.

10. **REFERRAL FROM CITY COUNCIL**

    Bell Canada Rates, and the proposed Toronto Dialing Area.

11. **TREASURER**

    (a) Penalty and Interest Rates charged on Outstanding Taxes. (tabled from previous meeting)

    (b) Insurance Portfolio of the City of Hamilton, Local Boards and Companies and The Hamilton Entertainment and Convention Facilities Incorporated.

    (c) Proposed 1992 Year End Surplus Distribution.

12. **DIRECTOR OF PROPERTY**

    Temporary Site for Concession Street Library.

13. **OTHER BUSINESS**

14. **ADJOURNMENT**

OUTSTANDING ITEMS

FINANCE AND ADMINISTRATION COMMITTEE

Item	Action by	Report due by
1. (a) Policy to exempt Parking Authority from realty and business tax.	Treasurer	
(b) Examine feasibility of directing the net revenue from parking fines into the Reserve Account.	Treasurer	
2. Report back on possible amendments to existing legislation to improve power to confiscate vicious animals.	H.S.P.C.A.	
3. Rationale of Development Charges on 84 Birmingham Street.	Building	
4. Proposed policy on display of plaques, posters, memorabilia, etc.	Property	1993 March meeting
5. Additional Proposed Development Charges Amendments.	Building	1993 March 25 meeting
6. Commonwealth Plaza Lighting.	Property	
7. Results of investigation on alternative uses of the Theatre Terra Nova building in the event that Theatre Terra Nova is unable to assume regular monthly mortgage payments as of 1993 January 1st.	C.A.O.	1993 March 25 meeting

/ 2 ...

	Item	Action by	Report due by
8.	Report on procedures to be used in regulating the sale of merchandise by charitable and non-profit groups.	City Clerk	1993 March 25 meeting
9.	Report on overview of all types of licences issued and fees for Committees consideration of rationale.	City Clerk	1993 June 24 meeting
10.	For the 1993 February meeting, a discussion paper will be presented by the Licence Division on a revised Taxicab By-law.	City Clerk	going first to Taxi Advisory Committee
11.	Analysis of cost benefits to owning a sound system vs. rental.	City Clerk	1993 March 4 meeting
12.	Explanation of use of the terminology "terminated" and "resigned" in Appointment Listings.	Commissioner of Human Resources	
13.	City Hall Grounds Study - being reviewed by interest groups for input.	Arts Co-Ordinator	1993 March 25 meeting
14.	Report - Partnership Agreements at the Hamilton Farmers' Market.	City Solicitor	1993 March 4 meeting
15.	Report - City's continuing role in Non-Profit Housing.	Chief Administrative Officer	

1993 February 18th

YOUR
INVESTMENT
IN FREE
ENTERPRISE

JUNIOR ACHIEVEMENT

JUNIOR ACHIEVEMENT
OF HAMILTON/WENTWORTH
48 FERGUSON AVE. S.
HAMILTON, ONTARIO L8N 2M5
TELEPHONE: (416) 525-5343
FAX: (416) 525-9755

Thursday, February 11, 1993

2.

Ms. Susan Reeder
Committee Secretary
Finance and Administration Committee
City Hall
71 Main St. West
Hamilton, ON
L8N 3T4

Dear Susan:

I am writing on behalf of the Board, members and participants of Junior Achievement of Hamilton/Wentworth. Junior Achievement is a not-for-profit service organization that provides programs of business and career education for young people.

Junior Achievement is very interested in the available space in the recently vacated Kenilworth Avenue Police Station. We have visited the site and found the premises to be most appropriate to our programs.

Our needs include office space for administrative staff that manage the Junior Achievement programs. There are two full-time staff people who work for the organization and our program operates Monday, Tuesday, Wednesday evenings for our young people. Each group of young people require a room to manage and operate their Junior Achievement companies.

The building on Kenilworth Avenue is a good location for our organization as the current rooms available are perfectly suited to our program needs. In our regular dealings with school officials, we have identified high numbers of young people who would benefit from our programs and would be better able to join if we were in this particular area. Junior Achievement programs teach young people business and economic education and also offer career direction, self esteem and self confidence training and most definitely address the ever growing concerns about the Canadian High School (30+%) dropout rate.

We would ask that the Committee give serious consideration to our request. Further information about our programs are included in the accompanying package.

Your truly,

Carol Houslander

Carol Houslander
Executive Director

encl
jp

CHAIRMAN
ALDERMAN VINCE AGRO

MEMBERS
ALDERMAN DOMINIC AGOSTINO
ALDERMAN FRANK D'AMICO

THE PARKING AUTHORITY
OF THE CITY OF HAMILTON

80 MAIN STREET WEST, HAMILTON, ONTARIO L8P 1H6

PETER G. BAKER
GENERAL MANAGER

TELEPHONE (416) 523-PARK
FAX (416) 523-0878

STATUS REPORT

DATE: February 10, 1993

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

4.

FROM: Peter G. Baker, General Manager
The Parking Authority of the City of Hamilton

SUBJECT: Health Building Site Development

RECOMMENDATION: That the **Finance and Administration Committee** receive this status report from the staff of the **Parking Authority** respecting the Health Building site on Hunter Street between James and Hughson.

Peter G. Baker, General Manager

INFORMATION: The Health Building is located on Hunter Street directly across from the proposed "GO Centre". It is situated on an irregular shaped lot and containing 26,945 sq. ft. of land. It backs on to a City owned alley which is adjacent to the YMCA.

In March of 1989 City Council designated this site for municipal parking purposes and it has subsequently formed a part of the Capital Budget plans of the **Parking Authority**. Further, in January of 1991 Council approved the **Parking Authority** proceeding with soil tests, followed by lease terminations for tenants in the building.

The soil tests were done as was a new survey of the property. The tests showed that a multi-story building was feasible for the site. In conjunction

with the above tests a study was done on parking in the area which has been passed on to Council members for comment.

The **Parking Authority** has included the item in its most recent capital budget presentation as a joint venture project with private enterprise. Only preliminary concepts have been discussed to date. The Authority is presently acting in accordance with the most recent resolutions from Council on this matter.

18. (a) That the Parking Authority be authorized to proceed immediately to obtain soil tests at 74 Hughson Street South, in order to determine the feasibility of constructing a parking structure.

(b) That upon the completion of the soil tests and the satisfactory results, the City terminate the leases with the Canadian Mental Health Association and the Regional Municipality of Hamilton-Wentworth, by providing a one (1) year written notice in accordance with the requirement of their respective leases at 74 Hughson Street South. (former Health Building)

(c) That notwithstanding the termination date of the leases is November 30, 1991, both tenants be allowed to remain on as overholding tenants until the one (1) year notice period has been carried out.

(d) That the City Solicitor be authorized to prepare all required notices and amend the City/Regional master lease agreement accordingly.

(e) That the Mayor and City Clerk be authorized to execute any agreement required to carry out the lease termination.

19. (a) That the City of Hamilton lease .1949 acre of land on Stone Church Road (part of Part 5, 62R-4187) to Carlo Del Sordo for a five (5) year period commencing May 1, 1991, at a rate of $400 per annum plus realty and business taxes.

(b) That the Lease Agreement will contain the following conditions:

i) The City has the right to cancel the lease upon six (6) months notice.

ii) The Lessee (Carlo Del Sordo) will deposit a notice of the lease at his expense in his adjoining property namely 1249 Stone Church Road East and register a notice of lease on the City's property.

iii) The use of the City property is for driveway access and landscaping only.

iv) The Lessee will landscape that area of the leased spaces not currently used for driveway access.

(c) That the City Solicitor be authorized to prepare the necessary Lease Agreement.

(d) That the Mayor and City Clerk be authorized to execute the Lease Agreement.

20. That the City of Hamilton inform The Board of Education for the City of Hamilton that the City has no requirements for Union School.

REPORT OF THE CO-ORDINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Co-ordinating Committee presents its SEVENTH Report for 1989 and respectfully recommends:

1. That any Members of City Council authorized to attend the 1989 FCM Conference being held in Vancouver, British Columbia, also be authorized to attend the FCM Pre-Conference Workshop on June 9, 1989 re "Evaluating Your Chief Administrative Officer".

2. That the Health Building site on the north side of Hunter Street between Hughson Street South and James Street South be designated for future parking to service the GO Terminal at the T.H.& B. site and the James Street South area.

3. That the Parking Authority be requested to investigate the possibility of obtaining Provincial funding to assist in providing GO Terminus parking.

*4. That Hamilton City Council initiate meetings with Burlington City Council on harbour related matters.

NOTE: The City of Burlington stands on almost one-third of the harbour shoreline, its territory seeming to end at the water's edge.

The Hamilton Harbour Commissioners has as one of its three members a commissioner who, while not formally representing the City of Burlington, nevertheless resides and carries on business there. There is at present no formal consultative arrangement between the City of Hamilton and its neighbour municipality with regard to the harbour.

The 1974 Halton/Wentworth Waterfront Study urged recognition of Halton as "an equal partner in harbour decisions", and that a Joint Committee on Landfill and Water Quality be set up, comprised of representatives of the Regional Municipalities of Halton and Wentworth.

For the information of City Council, the above recommendation is contained in the Report of the Task Force to Review the Mandate and Structure of the Hamilton Harbour Commissioners which was received by City Council at its meeting on February 28, 1989 and referred to the appropriate standing committees for review and recommendations back to City Council.

* *Recorded vote, see page 443*

5(a.)

CITY CLERK'S DEPARTMENT

MEMORANDUM

****

TO: Alderman D. Ross, Chairperson
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

SUBJECT: **Mayor's Transportation** DATE: 1993 February 11

Further to your request, the following is a chronology of the details which have occurred respecting the Mayor's Transportation:

(a) On 1992 September 24th, the Mayor introduced an Added Item of Business to the Agenda to request approval for him to continue to drive his own vehicle and be allowed to claim expenses. It was agreed:

> "That this matter would be tabled until the next meeting of the Committee (October 8), in order to allow staff an opportunity to provide a cost-saving analysis for this matter".

(b) On 1992 October 8th, this matter was placed on the Finance and Administration Agenda along with an Information Report from the Chief Administrative Officer and the Treasurer. The Report outlined the City's present policy on this matter as approved by City Council on 1980 December 9th as follows:

> "That the following policy be adopted for the use of chauffeur driven City-owned vehicles:
>
> (1) That one automobile and chauffeur be placed at the disposal of the Chairman of the Regional Municipality of Hamilton-Wentworth. (The cost of this service is billed directly to the Region.)
>
> Note: Section (1) is now entirely the responsibility of the Region.

(2) A chauffeur and an automobile to be at the disposal of the Mayor of the City of Hamilton.

(3) That one automobile and chauffeur be made available for the use of the member of Council while serving in the capacity of Acting Mayor for City business.

(4) No member of Council will be authorized to drive any City vehicle."

This Information Report contained 4 alternatives for the Mayor's Transportation - namely:

1. Maintain the Status Quo.

2. Supply City owned car only.

3. Supply City owned car, and for special occasions also a Driver.

4. Mayor drives his own car and receives mileage allowance or flat rate.

A copy of this Staff Report is herewith attached for your reference.

At the October 8th meeting, the Finance and Administration Committee discussed this Information Report and agreed:

> "That no change would be made to the existing arrangements whereby the Mayor has access to a car and a driver. It was agreed, however, that during the 1993 Budget discussions, that consideration would be given on the merits of the second car."

Trusting that this chronology is of assistance.

Susan K. Reeder.

SKR/dbm
Attachment.

CITY OF HAMILTON

FOR INFORMATION

DATE: 1992 September 30

REPORT *TO:* Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer

SUBJECT: **MAYOR'S TRANSPORTATION**

BACKGROUND:

In accordance with the direction of your Committee at the meeting of September 24, 1992, we have prepared information on the costs of the City car and driver which is at the disposal of the Mayor on a full-time basis, and on possible alternate arrangements.

For background information, you should be aware that the policy of the City in this matter as approved by City Council December 9, 1980, states the following:

"That the following policy by adopted for the use of chauffeur driven city-owned vehicles:

1) **that one automobile and chauffeur be placed at the disposal of the Chairman of the Regional Municipality of Hamilton-Wentworth. (The cost of this service is billed directly to the Region.)**

2) **A chauffeur and an automobile to be at the disposal of the Mayor of the City of Hamilton.**

3) **That one automobile and chauffeur be made available for the use of the member of Council while serving in the capacity of Acting Mayor for City business.**

4) **No member of Council will be authorized to drive any city vehicle."**

To our knowledge, (aside from item 1 which is now entirely the responsibility of the Region) this is still the policy of the City of Hamilton.

12 Oct 8 mtg
maintain the status quo
review second car at budget time
— mtg to Council

cont. page 2.....

The budget for the Legislative transportation function for 1992 is $169,500, and includes the operation and maintenance costs of two cars, together with the salaries and benefits of two drivers and the overtime costs related to that function. These cars, part of the fleet of the City Garage, are used for various assignments including delivery of special mail or other articles, driving visiting dignitaries as required, driving Aldermen to and from various functions when acting in the capacity of the Mayor and driving for the Mayor. The two drivers, in addition to their driving duties as and when required, are asigned to assist in the operation of the City Garage which encompasses a fleet of some 120 vehicles.

We have conducted a survey of 12 major municipalities of varying sizes, in addition to Hamilton, to compare their handling of their Mayors' transportation requirements; we found that six (6) municipalities supply **both city-owned car and driver** (including Hamilton) for their Mayors' use, three (3) municipalities allow **use of city-owned car only**, and four (4) others **reimburse their Mayors for the use of their personal car** either at a mileage fee or a flat allowance per year. The results of this survey in table form are shown as attached **EXHIBIT "A".**

The Mayor's car is a 1988 Lincoln Town Car purchased January 1989 for $19,121. It was fully depreciated in 1992, is at the stage where significant repairs need to be made, and is overdue to be traded in. Insurance, fuel, oil, and maintenance amount to approximately $6,400 per year, plus major repairs which so far this year have amounted to $1,500.

The driver for the Mayor spends the majority of his time performing that function, but when not required for driving duties is busy maintaining the Mayor's car and assisting in the day-to-day operations of the City Garage. In the event full-time driver services are no longer available for the Mayor's office, then one full-time driver position will no longer be required within the staff complement. The related costs, including basic salary and benefits for one position and the applicable portion of the overtime which is earned by both drivers and the Supervisor are estimated to be $84,800 per year.

ALTERNATIVES

From the information gathered in the survey, and from City staff input, we can identify several options with respect to transportation for the Mayor:

1) **Status quo**; i.e., continue the present policy of supplying a city-owned car and full-time driver to be at the disposal of the Mayor; the costs are budgeted for 1992 and no additional costs or savings would accrue. Replacement of the vehicle would be recommended by staff in 1993 under this option.

.....Cost of option 1 is $91,200.

cont. page 3.....

2) **Supply city-owned car only**; the Mayor would drive a city-owned car himself, and the costs for the car would be the same or less than present, however, savings would be realized by the elimination of one driver position plus the relevant overtime in the City Garage operation. Special deliveries of mail or other items may be subject to the availability of the remaining car and driver used at times by members of Council while representing the Mayor at some event.

.....Cost of option 2 is $6,400.

3) **Supply city-owned car, and for special occasions also a driver**; costs for the car itself would be the same as at present, however the cost for the part-time driver would depend on the number of occasions he is called upon to drive.

.....Assuming one to two times per week overtime occasions, Cost of option 3 could range from $12,600 to $19,400.

4) **Mayor drives his own car and receives mileage allowance or flat rate**; the present arrangements for mileage reimbursement for all employees, politicians and citizen members is .36 cents per km. for the first 5,000 kms. and .20 cents per km. thereafter. Options could be considered as to the payment of a mileage allowance, or the payment of a flat monthly rate which would cover the cost of use of the Mayor's own vehicle for City business. In the event that an option is pursued involving the use of the Mayor's personal vehicle, this may also have insurance and liability impacts.

.....Based on use for 7 mos. in 1992, the mileage allowance option would cost approximately $10,225.

Please note that options 1), 2), and 3) above do not include depreciation costs of the vehicle which is fully depreciated, nor do any of the above reflect costs with respect to personnel relocation or other arrangements.

Impact on the City Garage by **not** supplying the Mayor with a full-time driver:

a) the elimination of one driver position from the full-time complement would necessitate one of the present employees having to be retrained for relocation elsewhere in the Corporation, or other form of accommodation. In the event that the Committee wishes to further discuss specifics in this regard, these discussions should involve the Commissioner of Human Resources and should take place during an in-camera session.

cont. page 4.....

b) the present Council policy would have to be changed and a different arrangement with respect to transportation would need to be approved.

c) the City Garage staff, which currently consists of a Supervisor, two Drivers, and two Garage Attendants, is arranged so that when the drivers are not driving they are assisting in the day-to-day operation of the City Garage. Elimination of one drivers' position would curtail the assistance now provided by this position.

d) the supply of a **part-time** driver may still allow for the elimination of one of the drivers' positions, however that would depend on the amount of use that would be required by the Mayor's office.

e) a policy statement and guidelines on the use of the remaining car and driver should be developed so that all concerned will have a clear understanding of the responsibilities and limitations inherent in having only one car available.

Any option other than the present car and driver, may also have service level implications for the Mayor's Office.

Due to the normally heavy schedule of the Mayor's Office and the inherent efficiencies built into the present transportation arrangement, it may be difficult to maintain attendance at all of the goodwill and promotional events in Hamilton and elsewhere without a full-time car and driver. Similarly, the arrangement which allows the Mayor to conduct business while in transit (e.g., phone calls, reviewing reports) would not be possible if a driver is not provided. In addition, the personal safety of the Mayor should also be considered in that he may be at greater risk of an automobile accident following appearances at various functions which may have a cumulative tiring effect and run to late hours in the evening.

We trust this provides all necessary information for your consideration of this matter.

J. D. Powell

William C. Rees

EXHIBIT "A"

COMPARISON OF VARIOUS MUNICIPALITIES - MAYORS' CAR ALLOWANCES

	CITY	POPULATION	COMMENTS
1)	Use of City car **and** driver:		
	Etobicoke	293,000	
	Hamilton	317,000	
	North York	544,000	
	Ottawa	308,000	
	Scarborough	500,000	
	Toronto	597,000	
2)	Use of City car only:		
	Kitchener	153,000	-pays own gas, etc., receives mileage allowance $1,836 per year
	Mississauga	460,000	-budget provision for limited driver services as required
	Oshawa	120,000	
3)	Car Allowance - own car:		
	London	282,000	-receives mileage for actual expenses
	Sudbury	91,000	-receives flat allowance - $4,200 per year
	Thunder Bay	113,000	-receives flat allowance - $2,400 per year
	Windsor	200,000	-receives flat allowance - $4,000 per year

IRH/irh

6.

FINANCE AND ADMINISTRATION COMMITTI

THURSDAY, 1993 FEBRUARY 18TH

CONSENT AGENDA

A. **ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

Minutes of the regular meeting held Thursday, 1993 February 4th.

B. **CITY SOLICITOR**

By-law to amend Schedule 4 of By-law No. 79-323 respecting Additional Interior Advertising in Taxi-Cabs.

C. **DIRECTOR OF PROPERTY**

Former West Avenue School.

D. **MANAGER OF PURCHASING**

(i) Supply and Delivery of Janitorial Paper Products during 1993, Purchasing Stores.

(ii) Supply and Delivery of Electric Light Bulbs during 1993, Purchasing Stores.

E. **COMMISSIONER OF HUMAN RESOURCES**

(i) Salary Classifications - Traffic Department.

(ii) Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1993 February 9.

F. **TREASURER**

(i) Funding - St. Jerome School Crossing Guard.

(ii) Status of Unclassified Revenue and Expenditures as at 1992 December 31.

(iii) Status of Hosting, Receptions and Related Accounts.

(iv) Remuneration and Expenses paid to Members of Council and Members of other Bodies for 1992.

G. **CITY CLERK - USE OF CITY FACILITIES**

Pakistan Canada Association of Hamilton.

H. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items.

Thursday, 1993 February 4
9:30 o'clock a.m.
Room 233, City Hall

A.

The Finance and Administration Committee met.

There were present: Alderman D. Ross, Chairperson
Alderman B. Charters, Vice-Chairperson
Mayor Robert M. Morrow
Alderman D. Drury
Alderman G. Copps
Alderman V. Agro
Alderman T. Anderson
Alderman D. Agostino
Alderman T. Cooke

Also present: Alderman H. Merling
Alderman F. D'Amico
Alderman B. Morelli
Alderman M. Kiss
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
B. Sugden, Director of Culture and Recreation
K. Beattie, Grants Co-Ordinator, Treasury Department
J. Johnston, Commissioner of Human Resources
D. Lobo, Director of Public Works
D. Vyce, Director of Property
T. Daw, Treasury Department
G. Aston, Public Works Department
J. Pacey, Public Works Department
T. Bradbury, Treasury Department
D. Winthrow, Treasury Department
T. Engelbrecht, Transportation/Environmental Services Group
S. Hollowell, City Clerk's Office
J. Schatz, City Clerk
Susan K. Reeder, Secretary

A G E N D A

1. PRESENTATION - Building Department

Mr. Len King, Building Commissioner, spoke to the Committee with respect to the functions and activities of the Building Department.

Discussion ensued with respect to this presentation and Alderman Copps requested an opportunity for Representatives of the Regional Advisory Committee for Persons with Physical Disabilities to speak with respect to Barrier Free Construction at the Building Liaison Committee which meets annually. The Building Commission indicated that this could be arranged.

The Committee then thanked Mr. King for his presentation and agreed to receive it for information purposes.

2. DELEGATION - Y.M.C.A. - Proposed Development of Y.M.C.A. Facilities in the Mountain Community.

The Committee was in receipt of a letter from Mr. Vic Hryhorchuk, Chief Executive Officer of the Y.M.C.A., requesting the opportunity to speak to the Finance and Administration Committee respecting a proposed development of Y.M.C.A. Facilities in the Mountain Community.

The Committee was also in receipt of a document entitled "Proposal to the Finance and Administration Committee, Corporation of the City of Hamilton, regarding Y.M.C.A. Facility Development on Hamilton Mountain" dated 1993 February.

The following Representatives of the Y.M.C.A. of Hamilton/Burlington were in attendance to speak to the Committee respecting their proposal:

- Vic Hryhorchuk, Chief Executive Officer, Y.M.C.A.
- Bob Hall, Chairman of the Board of the Y.M.C.A.
- Duncan Beattie, Chairman of the Mountain Y.M.C.A. Advisory Committee
- Fred Galloway, Feasibility Study Consultant
- John Mockryke, Member of the Mountain Y.M.C.A. Advisory Committee
- Bob Buck, Member of the Mountain Y.M.C.A. Advisory Committee
- Jim Sykes, Director of Child Care and Community Services of Hamilton/Burlington
- Nikki Glowacki, Assistant Manager, Youth Employment Services

Following the presentation by the Y.M.C.A. Representatives, considerable discussion on this matter ensued with the Committee members. It was indicated that the Y.M.C.A. at this point is looking for a commitment from the City for a dedication of land presently owned by the City of the property of the Barton Community Centre on Upper James Street and the property known as Bethune Park for this proposed development. It was also indicated that the Y.M.C.A. would be looking for a cost-sharing from the City but as yet the actual amount is not determined since the fund raising efforts in seeking of other funds has yet to be commenced.

Considerable discussion ensued with respect to a need for recreational facilities in other parts of the City such as the East Mountain and the Ward 5 area.

Following further discussion, the Committee then approved the following:

(a) That the City of Hamilton supports the Y.M.C.A.'s proposed development of facilities in the Mountain community; and,

(b) That the Chief Administrative Officer has been directed to co-ordinate meetings of the appropriate staff to meet with the Y.M.C.A. representatives to discuss the City's financial, land dedication and all other anticipated involvement in participating in the Y.M.C.A. project, and report back to the Finance and Administration Committee.

3. **ALDERMAN D. ROSS - Coyote Population Problem on the West Mountain.**

Alderman Ross requested that this matter be pulled from the Agenda.

4. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda and approved the following:

A. ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE - Minutes of the meeting held Thursday, 1993 January 21st.

The Committee was in receipt of the minutes of its meeting held Thursday, 1993 January 21st, and approved these minutes as circulated.

B. MANAGER OF PURCHASING

(i) Pool System Renovations, Ryerson Recreation Centre.

The Committee was in receipt of a report from the Manager of Purchasing dated 1993 January 20, respecting the above-noted matter and approved the following:

(a) That a purchase order be issued to Gall Construction Limited o/a Acapulco Pools, Kitchener, in the amount of $159,724.25 including all applicable taxes for Pool System Renovations at Ryerson Recreation Centre, being the lowest of six tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender; and,

(b) That this expenditure be financed through Operating Account No. CH56103 31330; and,

(c) That a contract be entered into satisfactory to the City Solicitor.

(ii) Supply and Delivery of Worker's Uniform Clothing during 1993, Purchasing Stores.

The Committee was in receipt of a report from the Manager of Purchasing dated 1993 January 28, respecting the above-noted matter and approved the following:

That a purchase order be issued to J.P. Hammill & Son Limited, Guelph, for the supply and delivery of Worker's Uniform Clothing as and when required during 1993 to Purchasing Stores, being the lowest acceptable tender of four received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Stores Inventory Account No. CH56103 28999, as follows:

Grey Trousers	$12.95 each
Short Sleeve Grey Shirts	11.95 "
Long Sleeve Grey Shirts	12.95 "
Grey Overall Jackets	25.95 "
Grey Overall Pants	26.95 "
Grey Crested Coveralls	26.50 "

Applicable taxes extra

C. CITY CLERK

(i) Use of Council Chambers - National Law Day.

The Committee was in receipt of a report from the City Clerk dated 1993 January 15, respecting the above-noted matter and approved the following:

(a) That approval be given to the request of the Law Department to use the Council Chambers on Thursday, 1993 April 15, from 9:00 a.m. - 11:00 a.m., for a "mock" prosecution, incorporating several current legal issues, on the occasion of National Law Day; and,

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(ii) Winterfest Media Conference.

The Committee was in receipt of a report from the City Clerk dated 1993 January 25, respecting the above-noted matter and approved the following:

(a) That approval be given to the request of the Culture and Recreation Department to use the second floor Council annex on Tuesday, 1993 February 9, from 12:00 noon until 1:30 p.m., for a Winterfest Media Conference; and,

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(iii) Use of Council Chamber - Mayor's Race Relations Committee.

The Committee was in receipt of a report from the City Clerk dated 1993 January 27, respecting the above-noted matter and approved the following:

(a) That permission be granted to the Mayor's Race Relations Committee to use the Council Chamber and second floor foyer on Sunday, 1993 March 21, from 2:00 p.m. - 5:00 p.m., to celebrate International Day for the Elimination of Racial Discrimination; and,

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(iv) **Temporary Extension of Premises Licence.**

The Committee was in receipt of a report from the City Clerk dated 1993 January 29, respecting the above-noted matter and approved the following:

That approval be given to ratify the poll taken of members of City Council on Friday, 1993 January 29th of the following:

"(a) That Hamilton City Council recognizes the economic significance of the plan of Don Cherry's Grapevine Restaurant at 157 Main Street East in Hamilton to extend its business into the adjacent Parking Lot #7 on Sunday, 1993 January 31st, from 1:00 - 6:00 p.m., to run an outdoor community event in which the service of alcoholic and non-alcoholic drink will be available for Don Cherry's customers only in conjunction with the Super Bowl Game which starts at 6:00 p.m. on Sunday night (1993 January 31st); and as such,

(b) That the City Clerk be directed to advise the Liquor Licence Board of Ontario that Hamilton City Council has no objection to the issuance of a Temporary Extension of Premises licence for this event."

Note: Alderman Copps opposed.

ADDED - Use of City Hall Facilities - Hamilton & District Labour Council

The Chairperson read a letter from Alderman D. Wilson on behalf of the Hamilton & District Labour Council, requesting the use of the City Hall Council Chambers and meeting rooms with respect to an upcoming Labour Council Conference on 1993 March 26 - 27.

The Committee approved the following:

(a) That approval be given to the request of the Hamilton and District Labour Council C.L.C. to use the Council Chamber, meeting rooms 219, 233, 264 and the second floor foyer areas for the Labour Council Conference on the evening of Friday, 1993 March 26th and all day on Saturday, 1993 March 27th; and,

(b) That the estimated cost of staff overtime for this event of approximately $180. be charged to Account No. CH55222-10034 - Use of City Hall by Outside Groups.

D. **TREASURER - Tax Applications processed under Section 443, Sub-section (5) of the Municipal Act, Chapter 45, Statutes of Ontario, 1990.**

The Committee was in receipt of a report from the Treasurer dated 1993 January 19, respecting the above-noted matter and approved the following:

That Realty and Business Tax Applications processed under Section 443 (5) of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of $19,279.21, be approved and charged to CH53307-24104 Tax Remissions.

E. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items.

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1993 February 1, respecting the above-noted matter and approved the following:

(a) Minutes - Keep Hamilton Clean Committee meeting held 1992 December 9th.

(b) Minutes - French Sub-Committee meeting - 1992 November 13.

(c) Joint Information Report - City Clerk and Director of Culture and Recreation - Administration of Civic Awards Programme - Transfer to Culture and Recreation Department.

(d) Information Report - Secretary, English Language Sub-Committee - Bookdrive.

(e) Information Report - Chief Administrative Officer - Windemere Basin Rehabilitation Project Status Update.

(f) Information Report - Fire Chief - City of Mississauga - Request for Comments on Residential Fire Sprinkler Systems.

5. FOOTBALL HALL OF FAME AND MUSEUM MANAGEMENT COMMITTEE - City of Hamilton Parade Float for the 1993 Grey Cup.

The Committee was in receipt of a memorandum from the Secretary of the Football Hall of Fame and Museum Management Committee dated 1993 January 18, requesting that an up-set fee of $30,000. be placed in the 1993 Budget for parading a float on behalf of the City of Hamilton to be used in the 1993 Grey Cup Parade.

It was noted in the memorandum that "the City of Hamilton has historically paraded a float in the Grey Cup Parade as it is a high profile and Nationally televised event that brings recognition to the City of Hamilton as the home of the Canadian Football Hall of Fame and Museum and the Hamilton Tiger Cats". In 1992, $15,000. was allocated for parading but was not used as the Grey Cup Parade was not held. The money to be budgeted is allocated to Account No. CH55309-80040.

The Committee considered this matter and agreed to take **no action** with respect to this request.

6. CHIEF ADMINISTRATIVE OFFICER - Crystal Palace Project.

The Committee received the above-noted report forwarded to them under separate cover on 1993 February 3.

The Committee agreed to approved the following:

That the City Treasurer be authorized to set aside in the Work-in-progress account the unspent balance of the 1992 Current Budget fund estimated in the amount of $24,618.23 for use in 1993 to promote the Crystal Palace development concept and needs study.

7. DIRECTOR OF PUBLIC WORKS - Vehicle Acquisitions from Depreciation Budget - Public Works Department.

The Committee was in receipt of the above-noted report from the Director of Public Works dated 1993 February 1, which was forwarded to members of the Committee under separate cover on 1993 February 3.

The Committee approved the following:

That the Public Works Department not replace any equipment from the reserve account for equipment depreciation for 1993.

8. CITY CLERK

(a) Use of a Meeting Room - Executive Council of Hamilton Neighbourhoods.

The Committee was in receipt of a report from the City Clerk dated 1993 January 28, respecting the above-noted matter.

Discussion ensued with respect to this use and it was agreed that this request would be approved, subject to availability and the following amended recommendation was then approved:

That subject to availability, the Executive Council of Hamilton Neighbourhoods be authorized to use a meeting room at City Hall on a monthly basis to hold their meetings.

Note: Alderman Charters opposed.

(b) Display of Artwork.

The Committee was in receipt of a report from the City Clerk dated 1993 January 18, respecting a request for a display of Artwork.

The Committee approved the following:

(a) That approval be given to the request of Mr. John Stirling to display paintings on the second floor of City Hall from Monday, 1993 February 22 until Friday, 1993 March 5; and,

(b) That the subject art be reviewed by the Arts Co-ordinator to endorse the appropriateness of this display.

9. RESOLUTIONS - City of Kanata - Federal Freeze on Grants-in-lieu of Taxes.

The Committee agreed to receive this resolution as follows:

That the following resolution from the City of Kanata respecting the Federal Freeze on Grants-in-lieu of Taxes, be received:

WHEREAS the new Federal formula for calculating Grants-in-lieu of Taxes will permanently reduce the revenue which Municipalities would otherwise receive; and,

WHEREAS these changes amount to an unprecedented Federal intrusion into the setting of Municipal Property Tax Rates; and,

WHEREAS the current Minister of Finance is reneging on the commitment of his predecessor to take into account the Municipal Budgetary Cycle in implementing such measures; and,

WHEREAS Kanata's Residential, Commercial and Industrial Ratepayers will bear the cost of the Government decision; and,

WHEREAS Grants-in-lieu of Taxes were to be based on the Property Taxes; and,

THEREFORE BE IT RESOLVED that Council write to the Minister of Finance, Minister of Public Works and Kanata's Member of Parliament to request that the Federal Government reverse this unfortunate decision. The Federal Government should pay equal Property Taxes on their properties, the same as all other Property Owners; and,

THAT the City urgently request a meeting with Mr. Paul Dick to discuss this pressing issue, and that he be asked to set up a meeting with the Finance Minister to discuss this, as soon as possible; and,

THAT a copy of this resolution be sent to all municipalities in Ontario.

10. TAXI ADVISORY COMMITTEE - School Transportation

The Committee was in receipt of a report from the Secretary of the Taxi Advisory Committee dated 1993 January 28, respecting School Transportation as well as a report from the City Clerk dated 1993 January 29, respecting this issue.

Alderman Drury requested that this matter be tabled and referred to the In-Camera meeting for discussion.

Note: The Committee subsequently agreed to **receive and take no action** with respect to the recommendation of the Taxi Advisory Committee as follows, since it was recognized that the Licencing Committee would be dealing with this matter at its meeting to be held 1993 February 10.

"That the necessary steps be taken to immediately enforce the provisions of the Taxi Cab and Livery By-laws of the City of Hamilton in order that any carriers of school children within the boundaries of the City of Hamilton who fail to comply therewith be immediately charged with such offences as defined in Schedules 4 and 4 (A) of Licencing By-law No. 79-323, as amended."

11. **TREASURER - Appointment of the External Auditor.**

The Committee was in receipt of a report from the Auditor Selection Committee dated 1993 January 27, respecting the appointment of an External Auditor.

The Committee approved the following:

(a) That the firm of MacGillivray Partners, Chartered Accountants be awarded the contract for auditing services and appointed as municipal auditor for the City of Hamilton, including its Local Boards, Hamilton Entertainment and Convention Facilities Inc., Hamilton Hydro Electric System and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton for the year 1993 at a fee of $95,000. including completion of the audit of the City's Financial Report.

(b) That the By-law respecting "to appoint an External Auditor" be approved by City Council.

Note: Alderman Copps opposed.

14. **11:00 O'CLOCK A.M. - Local Improvement Court of Revision.**

As the hour had reached 11:00 o'clock a.m., the Committee moved into the Court of Revision.

Note: A separate set of minutes for this Court were recorded.

The Committee then adjourned its Court of Revision Hearing and moved into an In-Camera meeting.

The Committee then moved out of their In-Camera session and approved the following:

12. **REFERRAL FROM COMMITTEE OF THE WHOLE - Penalty and Interest Rates charged on Outstanding Taxes.**

The Committee agreed to **table** this report to the next meeting of the Committee.

13. **GRANTS CO-ORDINATOR - 1993 Grants Process.**

The Committee agreed to **table** this matter to the next meeting of the Committee.

17. **ADJOURNMENT**

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1993 February 4

B.

CITY OF HAMILTON

- RECOMMENDATION -

FEB 5 1993

DATE: 1993 February 4

REPORT TO: S. K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: By-law to amend Schedule 4 of By-law No. 79-323 respecting Additional Interior Advertising in Taxi-Cabs

RECOMMENDATION:

That the attached by-law be enacted by City Council.

P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See below.

BACKGROUND:

On November 10, 1992, City Council in adopting Item 3 of the 22nd Report of the Finance and Administration Committee recommended that the City Solicitor prepare the attached by-law. The by-law permits taxi-cabs to display additional interior advertising.

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Schedule 4 of Licensing By-law No.79-323

Respecting:

INTERIOR ADVERTISING IN TAXI-CABS

AND WHEREAS taxi-cabs are licensed, regulated and governed by Schedule 4 to Licensing By-law No. 79-323 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 3 of the 22nd Report of the Finance and Administration Committee, at its meeting held on the 10th day of November, 1992, directed that Schedule 4 of By-law No. 79-323 be further amended to allow additional interior advertising in taxi-cabs as hereinafter provided;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraph 19 of section 12 of Schedule 4 of Licensing By-law No. 79-323 is amended by adding the following as sub-paragraph (1a), immediately after sub-paragraph (1):

"(1a) One interior display unit placed on the ceiling, not exceeding 41 centimetres high by 122 centimetres wide, and which does not obstruct access to the vehicle, the drivers view of traffic, or the visibility of the photo identity card, meter, licence and tariff card; and"

2. In all other respects By-law No. 79-323 as amended, is hereby confirmed without change.

PASSED this day of A.D 1993.

City Clerk

Mayor

C.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 11

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: **Former West Avenue School**

RECOMMENDATION:

That Items 22(a)(i), 22(a)(ii) and 22(a)(v) of the 14th Report of the Finance and Administration Committee approved by City Council on June 30, 1992 be deleted in their entirety and replaced with the following.

i) "a five (5) year, three (3) month, term commencing March 1, 1993 and terminating May 31, 1998;

ii) "a rental payment of $40,000 per annum (gross) or $3,333.33 per month, commencing the earlier of June 1, 1993 or 45 days after renovations are completed, and ending May 31, 1995; escalating to $42,000 per annum (gross) or $3,500 per month for the period of June 1, 1995 to May 31, 1996; $43,000 per annum (gross) or $3,583.33 per month for the period June 1, 1996 to May 31, 1997; and $44,000 per annum (gross) or $3,666.67 per month for the period June 1, 1997 to May 31, 1998;

v) the tenant (Social Planning and Research Council) shall be responsible for the payment to the City of any increase in the annual operating costs of the building referred to in (iv) above, which are in excess of the base year operating costs (1993 June 1 - 1994 May 31);

D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

On June 30, 1992, City Council adopted Item 22 of the 14th Report of the Finance and Administration Committee approving the leasing of the former West Avenue School to the Social Planning and Research Council with the following conditions being set out with regards to timing involved in the lease:

i) a five (5) year, three (3) month term, commencing 1992 August 1, and terminating on 1997 October 31;

ii) a rental payment of $40,000 per annum (gross) or $3,333.33 per month, commencing the earlier of 1992 November 1, or thirty (30) days after renovations are completed, and ending 1994 October 31; escalating to $42,000 per annum (gross) or $3,500 per month for the period 1994 November 1 to 1995 October 31; $43,000 per annum (gross) or #3,583.33 per month for the period 1995 November 1 to 1996 October 31; and $44,000 per annum (gross) or $3,666.67 per month for the period 1996 November 1 to 1997 October 31;

v) the tenant (S.P.R.C.) shall be responsible for the payment to the City of any increase in the annual operating costs of the building referred to in (iv) above, which are in excess of the base year operating costs (1992 November 1 - 1993 October 31);

The S.P.R.C. had originally planned to commence their renovations on the former West Avenue School building in August of 1992 following Council's approval of the lease with occupancy of the building to take place no later than November 1, 1992. However, part of the original recommendation approved by City Council on June 30, 1992 was "that the City Solicitor be authorized to submit the City's application to the Ontario Municipal Board for approval to assume the City's financial expenses as Landlord and that the proposed Lease not commence until this approval is received."

Unfortunately, this O.M.B. approval for the subject Lease was not received until December 15, 1992, leaving the S.P.R.C. with no alternative but to delay the renovation work. Even though the S.P.R.C. had obtained the services of Anthony Butler Architects to undertake the designing and coordinating of the renovation work in July 1993, the O.M.B. delay meant that the contract for the work could not be awarded until late January 1993, with the renovations now scheduled to commence on the 1st of March 1993.

Therefore, it has been necessary to revise the subject Lease to reflect this delay and change. the commencement and termination dates along with those dates that refer to the escalations in rent and increases in operating costs over the new base year.

c.c. Alderman G. Copps, Alderman, Ward 4, Aldermen's Office

P. Noé Johnson, City Solicitor
Attention: D. Powers

Allan C. Ross, Treasurer

R. Swan, Manager, Building Operations and Maintenance Division

D(i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 29

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FEB 3 1993

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: Supply and Delivery of Janitorial Paper Products during 1993, Purchasing Stores

RECOMMENDATION:
That a purchase order be issued to Lilo Products, Hamilton, for the supply and delivery of janitorial paper as and when required during 1993 to Purchasing Stores, being the lowest evaluated tender of ten received based on post-consumer waste and Canadian content, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Purchasing Stores Inventory Account No. CH56103 28999, as follows:

Singlefold towels	$14.16 case
Multifold towels	14.68 "
Interfold tissue	41.97 "
Toilet tissue	15.75 "
10" rolls White Paper Towels	22.00 "

Applicable taxes extra

T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND: Tender Analysis

	Total Bid	& Post Consumer Waste	Canadian Content	Evaluated Bid
Flexo Products	$45,106.25	40-60%	$ 7,217.00 (16%)	$37,889.25 *
Crown Paper	49,739.00	50%	49,739.00 (100%)	42,278.15 *
Kaumeyer Paper	51,893.00	50%	51,893.00 (100%)	44,109.48 *
Atlantic	48,739.00	20%	--- (0%)	48,739.00 **
Lilo Products	52,054.25	100%	52,054.25 (100%)	44,246.11
Tennier Products	52,865.00	20-50%	52,865.00 (100%)	44,935.25
Price Daxion	54,002.25	20%	54,002.25 (100%)	45,901.91
Bass Paper	54,146.75	20%	54,146.75 (100%)	46,024.74
G. T. French	57,096.50	20-40%	57,096.50 (100%)	48,532.03
E.P.M.	84,965.00	100%	84,965.00 (100%)	72,330.25

* Partial bids; ** Products do not meet specifications of minimum 50% recycled. Applicable taxes extra to above prices. Total estimated expenditure during 1993 $59,863.

Lilo Products will provide delivery to City and Regional Departments at no cost without a minimum order quantity.

Recommendation is in line with Staff Enviro-Team, Terms of Reference, adopted by Council March 12, 1991, which states that the expanded use of products and services that contain the maximum level of post-consumer waste and/or recyclable content be considered.

D(ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 3

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: Supply and Delivery of Electric Light Bulbs during 1993, Purchasing Stores

RECOMMENDATION:
That a purchase order be issued to Torbram Electric Supply, Hamilton, for the supply and delivery of Electric Light Bulbs as and when required during 1993 to Purchasing Stores, being the lowest of seven tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be financed through various Stock Inventory Accounts.

T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND: Tender Analysis based on estimated usage

	96 Items	No. of Items Bid
Torbram Electric Supply, Hamilton	$ 89,452.78	96
Nedco, Hamilton	90,216.12	91
Guillevin International, Hamilton	91,170.90	78
Wesco, Hamilton	98,424.14	89
Mills Light House, Hamilton	103,264.55	79
Westburne Supply Ontario, Burlington	113,838.58	88
Gerrie Electric Wholesale Ltd., Hamilton	114,245.51	85

The expenditure during 1993 is estimated at $89,455.

E (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 2

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Salary Classification - Supervisor of Traffic Studies
Traffic Legislative Coordinator
School Crossing Coordinator
Traffic Department (C-011-093)

RECOMMENDATION:

That the following salary classifications be approved:

POSITION TITLE:	FUNCTION:	SALARY GRADE	SALARY
Supervisor of Traffic Studies	Coordinates all traffic counts for the City and Region. Prepares technical transportation analysis of existing and proposed policies, land developments and transportation facilities. Assesses boulevard parking approach approval applications.	L	$43,484.48 - $51,205.44 per annum
Traffic Legislative Coordinator	Coordinates the preparation of technical documentation and reports for Committees and Councils. Supervises the design of driveway accesses and applications for boulevard parking.	M	$40,640.60 - $47,819.20 per annum

School Crossing Coordinator	Coordinates the technical and administrative functions of the School Crossing Guard function for the six area municipalities. Provides technical recommendations regarding pedestrian and traffic safety. Makes recommendations for the location of school crossing guards.	L	$43,484.48 - $51,205.44 per annum

John Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
Costs associated with these increases will be accommodated within the Traffic Department's current operating budget. There will be no increase to the Corporation's complement as a result of these classifications.

Establishment of the classifications of the Supervisor of Traffic Studies and the Traffic Legislative Coordinator positions will resolve a policy grievance from CUPE 167 with respect to the posting of vacant union positions.

BACKGROUND:
The reclassification of these three positions is outstanding from 1992.

Supervisor of Traffic Studies
This position was vacated, through an early retirement,in 1992. Reorganization has resulted in the combination of the supervisory duties of the Supervisor of Traffic Studies position the technical aspects of a subordinate position (Traffic Technologist). The amalgamation of the two positions reduced the complement of the Traffic Department by one position. The position of Traffic Technologist will be declared redundant.

Traffic Legislative Coordinator
The position of Driveway Control Officer was vacated during 1992. Reorganization during the 1992 resulted in the combination of the supervisory duties of the Driveway Control Officer and the technical aspects of a subordinate position (Legislative Technologist). This amalgamation will result in the redundancy of one legislative technologist position.

School Crossing Coordinator
The initial evaluation of this position was undertaken soon after the position was created so that recruitment could take place. The practice of the Corporation is to review such initial classifications after the position has been filled for a period of time, in order to ensure that the skills, effort, working conditions and responsibilities had been accurately documented and evaluated. The re-evaluation of this position moves it up one salary grade.

E (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 January 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton (C-012-093)

RECOMMENDATION:

That the attached listing of Appointments To and Terminations From Permanent positions with the Corporation to February 9, 1993 be approved.

J. Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The new positions identified on the appointments list have been provided for in the budget of the respective department.

BACKGROUND:

Attached.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Lois Corey	Curatorial Programming Assistant (N)	Culture & Recreation	New Position Council Approved - November 10, 1992	$37,794.64 to $44,568.65	01/02/93
Ms. Elizabeth Fisher	Program Organizer (19-B)	Culture & Recreation	Replacing Mr. P. Paweska - promoted	$34,183.24 to $39,908.96	01/02/93
Mr. Howard Murray	Parking Control Officer (13-I)	Traffic	Replacing Mr. P. Eldridge - Article 12.4	$31,612.88 to $36,305.88	25/01/93
Mr. Randy Stone	Programmer I (29-A)	Information Systems	Replacing Mr. R. Thornberry -promoted	$46,639.32 to $52,976.56	11/01/93
Mr. Ron Thornberry	Systems Analyst (J-A)	Information Systems	Replacing Mr. B. Anderson - promoted	$53,946.88 to $64,259.52	11/01/93
Ms. Elizabeth Wakeford	Curatorial Programming Assistant (N)	Culture & Recreation	New Position Council Approved - November 10, 1992	$37,794.64 to $44,568.65	24/12/92

Prepared 09/02/93

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. George Binns	Concrete Finisher	Public Works	Resigned	5 years, 3.5 months	04/01/93
Ms. Margot Smeenk	Traffic Design Engineer	Traffic	Resigned	4 years	30/12/92

Prepared 09/02/93

F(i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 12

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: School Crossing Guard - St. Jerome's Separate School

RECOMMENDATION:

That the School Crossing Guard located at the mid-block traffic signal on Limeridge Road West at St. Jerome's Separate School, be considered for funding from the Traffic Department's 1993 Current Budget.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As above.

BACKGROUND:

This item has been approved under Section 38 of the Second Report of the Transport and Environment Committee adopted by Council 1993 February 9.

NRA:jc

c.c. Joe Pavelka, Chief Administrative Officer
Mr. M. F. Main, P. Eng., Director of Traffic Services

CITY CLERK'S DEPARTMENT

MEMORANDUM

****

TO: Susan K. Reeder, Secretary
Finance and Administration Committee

YOUR FILE:

FROM: Kevin C. Christenson, Secretary
Transport and Environment Committee

OUR FILE:
PHONE: 546-2728

SUBJECT: SCHOOL CROSSING GUARD -
ST. JEROME'S SEPARATE SCHOOL

DATE: 1993 February 12

FEB 11 1993

Sub-joined is a copy of Section 38 of the SECOND Report of the Transport and Environment Committee for 1993 adopted by City Council at its meeting held 1993 February 9.

Would you please ensure that the Finance and Administration Committee considers this item at a future meeting.

KCC:mjw

"(a) That the School Crossing Guard located at the mid-block traffic signal on Limeridge Road West at St. Jerome's Separate School, be retained.

(b) That the Finance and Administration Committee be requested to recommend a method of financing this School Crossing Guard."

c. Allan Ross
Treasurer

Murray F. Main, P.Eng.
Director of Traffic Services

F(ii)

CITY OF HAMILTON

- INFORMATION -

DATE: 1993 February 12

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: **Status of Unclassified Revenue and Expenditures as at December 31, 1992**

BACKGROUND:

Attached are the analyses of the Unclassified Revenue account and the Unclassified Expenditures account for the period ending December 31, 1992.

for the year ended 1991 Budget	Actual	Description	Budget	Actual to date	Balance Available (to come)
$(50,000.00)	$ (41,263.73)	Unclassified Revenue	$(50,000.00)	$(67,967.52)	$(17,967.52)
75,000.00	106,568.53	Unclassified Expenditures	65,000.00	75,583.18	(10,583.18)

It should be noted that Unclassified Expenditures were reduced by $10,000.00 during the budget review, to $65,000.00, in comparison with the year 1991 where an overdraft of $31,568.53 occurred.

For the year ended December 31, 1992, on a net basis the two unclassified accounts retained a surplus of $7,384.34.

These accounts are forwarded to this Committee on a monthly basis for the information of the members.

Allan C. Ross

KL:jc
Attachment

CITY OF HAMILTON
TREASURY

UNCLASSIFIED REVENUE
AS AT DECEMBER 31, 1992

CENTRE NUMBER:CH 24201
Appropriation: $ 50,000.00

COMMISSIONS:	
Bell Telephone	7,203.41
SALES:	
Photocopier Revenue	534.30
MISCELLANEOUS:	
Cheques Written Off/Reinstated	48,032.16
Witness Fees	118.88
Sales Tax	344.80
Other Revenues	3,186.18
Absences Various Locals	730.56
Newspaper Vending Machine	7,722.00
Inventory Variance	95.23
Total Revenue To Date	67,967.52
Less: Appropriation	50,000.00
Surplus (Deficit)	17,967.52

CITY OF HAMILTON
TREASURY

UNCLASSIFIED EXPENDITURES
AS AT DECEMBER 31, 1992

Centre Number: CH 24210
Appropriation: $ 65,000.00

LUNCHEONS, DINNERS, SANDWICHES, COFFEES, ETC.

City Council	3,006.53
Finance and Administration Committee	4,210.90
Parks and Recreation Committee	3,588.63
Planning and Development Committee	3,569.18
Transport and Environment Committee	2,107.09
Keep Hamilton Clean Citizen's Committee	270.52
Crystal Palace Subcommittee	1,386.47
Golf Subcommittee	127.75
Hamilton Historical Board	3,567.45
Citizen Advisory	866.04
Advisory for Equitable Representation	12.10
Committee of Adjustment	1,451.61
CAIP Subcommittee	258.32
Non Profit Housing	766.96
Hamilton Housing Corporation	90.91
License Subcommittee	2,004.19
Farmers Market Subcommittee	536.35
English Subcommittee	241.52
French Subcommittee	1,611.18
Taxi Advisory Committee	803.27
Insurance Advisory Subcommittee	356.44
Property Standards Subcommittee	34.86
Capital Budget Subcommittee	19.87
Current Budget Subcommittee	111.02
Information Systems	52.50
Mundialization Committee	1,068.38
Football Hall of Fame	1,569.92
Canusa Games Committee	1,448.93
Civic Charity Committee	92.02
Management Team	1,000.09
Hamilton Arts Award	2,538.85
One Tier Review Committee	282.66
Total Committee Expenditures	39,052.51

Continued Page 2.....

CITY OF HAMILTON
TREASURY

UNCLASSIFIED EXPENDITURES
AS AT DECEMBER 31, 1992

Centre Number: CH 24210
Appropriation: $ 65,000.00

MISCELLANEOUS

Collection Agency Fees	973.38
Cashiers Over & Short	1.96
258 Beach Blvd. - Maintenance Charges	346.70
Flowers & Wreaths	333.01
By-law Registration	472.00
Parking and Cab expenses	841.94
Hydro Charges - Road Sign	194.56
Federation of Canadian Municipalities	2,204.46
Arts & The Cities	2,459.72
Long Term Employee Gift Fund	600.00
C.N.R. - Realty Taxes - City Yard Storage	4,958.19
P. A. Sound Systems Various Meetings	138.75
Corporate Challenge	2,474.26
Isc Paper Recycling Canada	9,073.27
Annual Christmas Carols	1,367.33
State Visit Foreign Official	19.43
Italian Students Delegation	399.60
Canadian Taxi Association Membership	100.00
Brott Summer Music Festival	342.30
Japanese Students Visits	160.90
Payroll Write-off	204.66
Ticat Wall of Fame Dinner	125.00
Smoking Cessation Program	658.30
Blast Off for United Way	707.06
International Great Lakes Mayor's Conference	6,128.51
Omers Adjustments	94.99
Arts in the Cities-C. York	461.22
Damage to Car-Rousseau	170.89
City Hall Tours	300.00
Voyageur '92 Program Group, Nfld.	218.28
Total Miscellaneous Expenditures	36,530.67
Total Expenditures	75,583.18
Less: Appropriation	65,000.00
Balance - Surplus (Deficit)	(10,583.18)

F. (iii)

CITY OF HAMILTON

- INFORMATION -

DATE: 1993 February 12

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: **Status of Hosting, Receptions and Related Accounts**

BACKGROUND:

Attached are the following analyses of accounts related to hostings and receptions as at December 31, 1992, with a comparison to the year 1991:

for the year ended 1991			to December 30, 1992		
Budget	Actual	Description	Budget	Amount Spent & Committed	Balance Available
$50,000.00	$48,000.00	Hosting of Conferences with Municipal Subject Content	$16,000.00	$17,354.37	$(1,354.37)
10,000.00	8,036.18	Receptions - City Hall	10,000.00	9,483.69	516.31
48,000.00	47,130.44	Special Civic Receptions and Delegation Hosting	40,000.00	32,177.46	7,822.54
15,000.00	10,982.04	Civic Pins, Medals and Rings	15,000.00	20,968.74	(5,968.74)
3,910.00	7,952.99	Use of City Hall - Outside Groups	3,910.00	7,622.00	(3,712.00)
$126,910.00	$122,101.65		$84,910.00	$87,606.26	$(2,696.26)

These accounts are forwarded to this Committee on a monthly basis for the information of the members.

Allan C. Ross

KL:jc
Attachment

City of Hamilton
HOSTING OF CONFERENCES WITH MUNICIPAL SUBJECT CONTENT
Account CH 55307 80040
for the period ended December 31, 1992

COUNCIL MEETING	DESCRIPTION	AMOUNT $	TOTAL $
92/02/25	Children's International Games Lausanne, Switzerland - March 18 - 22, 1992 (Bob Sugden, Director of Culture & Recreation)	2,154.37	
92/05/12	Ontario Recreation Forum-Conference Hamilton, Ontario - May 7-9, 1992 (Bob Sugden and 5 Culture & Recreation Staff)	1,200.00	
90/11/27	1992 Ontario Seniors Games (City Contribution)	14,000.00	
	Total Actual Expended and Committed to date		17,354.37
	LESS: Appropriation		16,000.00
	SURPLUS (DEFICIT)		(1,354.37)

City of Hamilton
RECEPTIONS - CITY HALL
Account CH 55313 84010
for the period ended December 31, 1992

REFERENCE NUMBER	DATE	DESCRIPTION	AMOUNT $
160418	92/01/10	Mayor's Office	7.77
161035	92/01/25	Ukrainian Independance Day	490.62
161035	92/01/26	Associazione Musicale	626.70
161801	92/01/28	Mayor's Office	11.66
161801	92/01/29	Mayor's Office	21.86
161801	92/01/29	Mayor's Office	15.54
163300	92/02/18	Mayor's Office	37.46
165018	92/03/04	Mayor's Office	599.40
165018	92/03/06	Mayor's Office	116.55
165018	92/03/11	Mayor's Office	15.54
165018	92/03/11	Mayor's Office	219.50
165018	92/03/12	Mayor's Office	15.54
165018	92/03/13	Mayor's Office	84.25
165018	92/03/13	Mayor's Office	15.54
166034	92/03/17	Mayor's Office	15.54
166377	92/04/02	Mayor's Office	15.43
166377	92/03/24	Mayor's Office	15.54
167352	92/04/08	Mayor's Office	7.77
167352	92/04/09	Mayor's Office	24.86
168076	92/04/12	Jewish Community Centre	339.61
168076	92/04/07	Mayor's Office	190.48
168437	92/04/26	Mayor's Office	140.86
168437	92/04/21	Mayor's Office	38.85
168437	92/04/24	Mayor's Office	19.53
168707	92/04/28	Mayor's Office	646.41
168707	92/04/28	Mayor's Office	25.53
168707	92/04/29	Mayor's Office	109.89
168707	92/04/30	Mayor's Office	20.21
168707	92/05/02	Mayor's Office	240.54
169428	92/05/05	Mayor's Office	376.06
169428	92/05/06	Mayor's Office	202.58
169428	92/05/06	Mayor's Office	66.27
169428	92/05/10	Mayor's Office	140.86
170677	92/05/12	Mayor's Office	83.25
170677	92/05/15	Mayor's Office	7.77
171213	92/05/27	Mayor's Office	5.78
171213	92/05/28	Panel on Violence Against Women	71.87
171213	92/05/29	Croation Union	14.66
171213	92/05/29	Boy Scout Parade Reception	21.87
171213	92/06/01	Mayor's Office	39.57
171528	92/06/04	Mayor's Office	71.04
171528	92/06/06	Lusofest Celebrations	668.78
171528	92/06/12	Mayor's Office	31.64
171528	92/06/12	Mayor's Office	334.39
172636	92/06/19	Mayor's Office	40.24
172636	92/06/20	Mayor's Office	104.57
172636	92/06/22	Occupational Health & Safety Week Proclamation	38.85
174283	92/06/24	Beth Phinney Voyageurs - Football Hall of Fame	122.54
174283	92/06/26	Mayor's Office	100.13
174283	92/07/06	Mayor's Office	35.52
175784	92/07/06	Mayor's Office	11.66
176546	92/07/21	Visit - Michele Nicola Caruso	70.76

City of Hamilton
RECEPTIONS - CITY HALL
Account CH 55313 84010
for the period ended December 31, 1992

REFERENCE NUMBER	DATE	DESCRIPTION	AMOUNT $
177572	92/07/22	Otigheim Orchestra	101.89
177875	92/08/04	Mayor's Office	7.77
177875	92/08/09	Plough Shares Event	93.52
179052	92/08/19	Mayor's Office	189.58
179052	92/08/19	Mayor's Office	135.37
179052	92/08/19	Voyageur Groups	107.28
179052	92/08/20	Mayor's Office	58.28
179052	92/08/22	Mayor's Office	59.39
180818	92/09/08	Arthritis Month Proclamation	71.60
180818	92/09/10	Mayor's Office	11.66
181953	92/09/16	Visiting Mayor's from Italy	486.18
181953	92/09/18	Chamber Music Choir from Latvia	50.95
181953	92/09/18	Legion Week Proclamation	26.20
182473	92/09/22	Raise the Flag	15.54
184595	92/10/01	Voyageur Group - Educator	36.40
184595	92/10/01	Lupus Proclamation	30.20
184595	92/10/02	Mayor's Office	19.43
184595	92/10/05	Columbus Week Proclamation	52.61
184595	92/10/06	Voyageur Group	58.99
184595	92/10/06	Mayor's Office	7.77
184595	92/10/13	City Council Meeting	17.76
184595	92/10/14	Ministry of Housing	11.66
184595	92/10/14	Yes Committee - Mary Gallager	18.87
184595	92/10/19	Mayor's Office	18.87
184595	92/10/23	Mayor's Office	51.06
184595	92/10/28	Mayor's Office	29.97
185752	92/11/02	Mayor's Office	26.64
185752	92/11/03	Mayor's Office	18.32
185752	92/11/06	Mayor's Office	18.87
186635	92/11/10	Voyageur Group - St. John's, Nfld.	87.30
187170	92/11/20	Liberal Caucus Meeting	38.85
187170	92/11/20	Liberal Caucus Meeting	38.85
187170	92/11/24	City Council Meeting	17.76
189000	92/11/27	Mayor's Office	30.20
189000	92/12/04	Dictionary of Hamilton Biography	270.06
189000	92/12/07	The Honourable Ruth Greer	18.98
189473	92/12/10	Human Rights Day Proclamation	245.64
190843	92/12/22	Santa's Event	66.05
190843	92/12/31	New Year's Eve	47.73
		Total Actual Expended to Date	9,483.69
		LESS: Appropriation	10,000.00
		SURPLUS (DEFICIT)	516.31

City of Hamilton
SPECIAL CIVIC RECEPTIONS AND DELEGATION HOSTING
Account CH 55314 84010
for the period ended December 31, 1992

COUNCIL MEETING	DESCRIPTION	AMOUNT $	TOTAL $
-	Reception for the Commissioner of Employment Equity January 8, 1992	614.34	
92/03/31	2nd Annual Steel City Senior Bowl - June 27, 1992	1,000.00	
92/03/31	Dr. Elena Bonner, The Bertrand Russel Peace Lecturer - March 26, 1992	799.20	
-	Italian General Avarello	440.08	
92/04/28	Royal Hamilton Military Institute - April 18, 1992 General Crerar, Brigadier Todd & Family	268.29	
-	M.O.E. Citizen Committee Breakfast Meeting May 12, 1992	217.48	
-	Royal Bank V.P.'s Breakfast meeting - May 11, 1992	216.90	
92/05/12	Roberta Bondar Reception - May 14, 1992	2,898.71	
-	Dinner for CIBC Chairman - April 23, 1992	1,013.45	
-	Jean's Flower Shop Inc. - May 20, 1992	42.74	
92/02/25	Hamilton International Air Show June 20 - 21, 1992	8,000.00	
92/03/31	National Conference Canadian Association of Elizabeth Fry Societies June 11, 1992	408.50	
-	German Orchestra - July 22, 1992	1,287.25	
92/04/28	Academic Folklore Group from Ljubljana, Slovenia August 20, 1992	54.11	
92/06/30	1992 Canada Cup of Wrestling & Olympic Team July 1, 1992	3,000.00	
92/09/29	Famous People's Players September 29, 1992	750.00	
92/09/29	Ministry of Municipal Affairs - Reception Learning Together - October 28, 1992	2,310.51	
-	The John Laing Singers 10th Anniversary - Reception	443.40	
92/10/27	Canadian Olympic Athletes November 1, 1992 Luncheon - Hamilton Convention Centre Bus Trip - Convention Centre to Ivor Wynne Stadium	2,442.75 195.70	
-	Canadian Video Challenge Awards Show December 13, 1992 Reception - Hamilton Convention Centre	5,774.05	
	Total Expended		32,177.46
	Total Actual Expended and Committed to date		32,177.46
	LESS: Appropriation		40,000.00
	SURPLUS (DEFICIT)		7,822.54

City of Hamilton
CIVIC PINS, MEDALS AND RINGS
Account CH 56126 84010
for the period ended December 31, 1992

REFERENCE NUMBER	DESCRIPTION	AMOUNT $
161389	1 - 10k Man's Civic Ring & 1 - 5pt C Diamond & Box	322.04
162471	5 - 10k Man's Civic Ring & 5 Boxes	1,138.47
162471	63 Civic Pins & 63 Boxes	1,494.40
L306919	Civic Award	(235.90)
164444	24 - GF Civic Pinette & 24 Boxes	569.30
165800	5-10K Civic Rings - School Pins/Rings	2,497.50
168428	2 - 5pt Genuine Ruby, 2 - 5pt Diamond W/Collet and 7 - 5pt Diamond	962.37
169865	7 - 10k Man's Civic Ring & 7 Boxes	1,593.86
172365	26 - S/S Provincial Champs Pinette	575.18
174166	School Pins/Rings	499.50
L309684	City Clerks - Civic Ring	(192.77)
180812	999M MD 10K Civic Champs Ring & Box	3,415.42
180812	S/S & GF Civic Champs Pinette & Box	683.93
180812	Genuine Ruby - 2-5PT 'C' Diamonds	301.92
180812	999M MD 10K Civic Champs Ring & Box	227.69
L310233	City Clerks - Civic Awards	(310.22)
PO#14052	10K Civic Champs Ring, 5PT 'C' Diamond, '5PT Genuine Ruby, 1 Box	186.07
PO#14052	10 Civic Champ Pinette & Boxes	143.52
PO#14052	1-10K Lady's Ring & Box	194.86
PO#14052	10 - Lady's Rings, 1 - Man's Ring & Boxes	1,018.96
PO#14052	Customer owned rings returned for Diamond Addition	1,509.60
184800	Women's Gold Ring	499.50
186318	3-10K civic Rings & 4-10K Lady's Rings & 7 Boxes	1,488.62
186318	1-10K Lady's Ring, 4-10K Mans Rings, 5 Boxes	949.69
186318	28-GF Civic Pinettes & Boxes	678.06
186318	1-5pt "C" Diamond, 1-5pt "C" Diamond W/Collet	224.78
186318	15pt "C" Diamond	104.34
191346	10K Man's Civic Ring & 1 Box	239.35
189729	2 - Additions 5pt 'C' Diamond	188.70
	Total Actual Expended to Date	20,968.74
	Less: Appropriation	15,000.00
	SURPLUS (DEFICIT)	(5,968.74)

City of Hamilton
USE OF CITY HALL-OUTSIDE GROUPS
Account CH 55222 10034
for the period ended December 31, 1992

REFERENCE NUMBER	DATE	DESCRIPTION	AMOUNT $
162713	92/01/24	Heaven Piano Co. - Tuning & Lubricate Pedal	589.41
JV01055	92/01/25	Ukranian Function	489.84
JV01080	92/01/19	Associazione Musicale	295.28
JV02040	92/02/14	Mundialization Interfaith	327.91
JV02041	92/02/14	Ukranian Independence Day	69.67
JV03079	92/03/07	Congress of Black Women	209.01
JV04129	92/04/12	Humanitarian Awareness	195.07
JV04129	92/04/11	Aides Network	623.54
JV05009	92/04/25	High School Oratorial Contest	250.81
JV05009	92/04/25	Croatian Peace Rally	62.70
JV05009	92/04/26	Great Ride to Beat Cancer	195.07
170590	92/04/28	P. A. Sound System - Day of Mourning Dedication	205.35
JV05155	92/05/02	Polish Proclamation	83.60
JV06023	92/05/19	Ukrainian Canadian Congress	111.47
JV06033	92/05/30	Boy Scout Parade & Croation Union	773.01
JV06122	92/06/06	Luso - Canadian Cultural Council	304.23
JV07139	92/06/13	Shrine Parade	600.00
176048	92/06/21	P. A. Sound System - Racalmutese Parade	205.35
JV08161	92/07/21	Install Boris Brott Music Festival Sign	71.00
JV09098	92/08/22	Overtime - Property and Maintenance	94.05
JV10026	92/10/08	Overtime - Property and Maintenance	489.32
JV10043	92/10/08	Paint/Repair McMaster Drama Festival Sign	282.00
JV10043	92/10/08	Install reviewing stand for Labour Day Parade	291.00
JV10107	92/10/19	Boy Scouts Apple Day	104.50
182800	92/10/14	Sound System Rental	333.00
182112	92/10/02	Piano Rental - Raise Flag for Canada	50.00
182881	92/10/15	Heaven Piano - Rental	86.58
JV11061	92/11/02	Proclamation	62.70
JV11346	92/11/27	Erect United Way Sign (Thermometer)	69.00
JV12071	92/12/07	Montreal Massacre	97.53
		Total Actual Expended to Date	7,622.00
		LESS: Appropriation	3,910.00
		SURPLUS (DEFICIT)	(3,712.00)

F (iv)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: **Remuneration and Expenses Paid to Members of Council and Members of Other Bodies for the year 1992**

RECOMMENDATION:

That the attached statement of the Treasurer summarizing remuneration and expenses paid to Members of Council and Members of Other Bodies for the year 1992 be received by Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A.

BACKGROUND:

In accordance with the Municipal Act, Section 247, the Treasurer is required to report to Council on the statement of remuneration and expenses to members of Council and members of other bodies by the end of February, for the preceding year.

Allan C. Ross

IRH/an
Attachments

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1992

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act, R.S.O. 1990, Chapter M.45)

1. REMUNERATION

(a) Members of Council

	Salary *
Agostino, D.	21,328.26
Agro, V. J.	21,328.26
Anderson, T.	21,328.26
Charters, R.	21,328.26
Cooke, T.	21,328.26
Cobbs, G.	21,328.26
D'Amico, F.	21,328.26
Drury, D.	20,640.96
Eisenberger, F.	21,328.26
Jackson, T.	20,640.96
Kiss, M.	21,328.26
McCulloch, W.	21,328.26
Merling, H.	21,328.26
Morelli, B.	21,328.26
Morrow, R.	68,250.00
Ross, D.	21,328.26
Wilson, D.	21,328.26
	408,127.56

* One-third of these amounts deemed to be "Expenses" in accordance with section 255 of the Municipal Act.

(b) Committee of Adjustment

Member	Honorarium
Dudzic, M.	2,600.00
Greenlee, M.	2,100.00
Korz, G.	2,100.00
Law, B.	2,100.00
Takhar, N.	2,100.00
	11,000.00

STATEMENT OF THE TREASURER
for the period ending December 31, 1992

(c) License Examining Board

Member	Honorarium
Allick, B.	150.00
Allison, H.	800.00
Clothier, R.	400.00
Cooper, H.	1,100.00
Gibson, D.	600.00
Green, R.	1,100.00
Groves, L.	1,200.00
Hardie, D.	800.00
Holm, M.	900.00
Kaut, H.	900.00
Korz, G.	1,200.00
Langdon, D.	800.00
MacIntyre, D.	1,000.00
Skinner, J.	0.00
Penko, G.	800.00
Reilly, M.	800.00
Taffs, R.	500.00
Woodrow, B.	200.00
VanDerbeek, P.	1,750.00
	15,000.00

2. EXPENSES

(Residence telephone allowance, travelling and local grant to Mayor)

(a) Members of Council	Amount
Agostino, D.	4,490.70
Agro, V. J.	459.15
Anderson, T.	3,264.40
Charters, R.	161.46 **
Cooke, T.	161.46 **
Copps, G.	0.00
D'Amico, F.	2,179.35
Drury, D.	303.24
Eisenberger, F.	161.46 **
Jackson, T.	3,786.69
Kiss, M.	161.46 **
McCulloch, W.	5,307.38
Merling, H.	161.46 **
Morelli, B.	161.46 **
Morrow, R.	32,652.78
Ross, D.	1,001.06
Wilson, D.	161.46 **
	54,574.97

**telephone allowance only

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1992

(b) Parking Authority Appointees

Alderman Agro, V. J.	1,197.53
Alderman Agostino, C.	1,033.76
Alderman D'Amico, F.	1,559.18
	3,790.47

(c) Public Library Appointees

Burns, F.	625.27
Down, T.	135.00
MacGillivray, M.	135.00
McCulloch, W.	135.00
Mitchell, P.	135.00
Philip, B.	135.00
Radigan, R.	2,285.66
Rogers, P.	2,481.54
Sbrissa, A.	135.00
Syko, J.	135.00
Wilson, D.	135.00
	6,475.47

(d) H.E.C.F.I. Appointees

Kay, G.	2,391.32
	2,391.32

G.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 15

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: **Pakistan Canada Association of Hamilton - Use of City Facilities**

RECOMMENDATION:

(a) That approval be given to the request of the Pakistan Canada Association of Hamilton to use the City Hall forecourt and related equipment, and to fly the Pakistani flag at City Hall, on Saturday, 1993 August 14 to celebrate Pakistan Independence Day.

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funds in the approximate amount of $90.00 for Property Maintenance staff overtime associated with recommendation (a) will be taken from Account CH 55222 10034 - Use of City Hall by Outside Groups.

BACKGROUND:

The City Clerk's office have no hesitation in recommending approval of the Pakistan Canada Association's request for use of the forecourt and flying of the flag to celebrate Pakistan Independence Day, as this request is in keeping with those of other local organizations/associations for occasional use of city facilities.

2 ...

However, this group also requested the use of a city meeting room on a regular basis, to hold Association meetings. That request is being held in abeyance pending the development of a policy respecting the use of City Hall Facilities.

The City Clerk's office is developing this policy for the consideration of members of the Finance and Administration Committee. Subject to the disposition of this policy by City Council, a determination can be made with regard to requests for the use of City Hall meeting facilities on a monthly basis.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

H.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 15

REPORT TO: Alderman D. Ross, Chairperson
and Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Director of Property - Security Enclosure - Information Desk, Lobby City Hall dated 1993 February 5.

(b) City of Peterborough, Two Tier Property Tax Committee - Government Property Tax Policy - dated 1993 January 21.

(c) Robert A. Unitt - Letter sent to the Tobacco Unit of the Health Promotion Branch in opposition to Smoking - received 1993 January 28.

(d) Chris Korwin - Kuczynski, Councillor, City of Toronto - Canadian Flag Day - dated 1993 February 3.

(e) Minutes - Hamilton Status of Women Sub-Committee - 1993 January 11 meeting.

(f) Manager of Purchasing - Purchase of Electric Light Bulbs during 1993 dated 1993 February 11.

(g) Minutes - Keep Hamilton Clean Committee - 1993 January 13 meeting.

CITY OF HAMILTON

- INFORMATION -

DISTRIBUTED FOR INFORMATION TO MEMBERS OF FINANCE AND ADMINISTRATION COMMITTEE
CAO
1993 Feb. 2 Susan K. Reed
DATE SIGNATURE

7.(a)

DATE: 1993 February 2

REPORT TO: Chairman and Members
Finance and Administration Committee

FROM: J.G. Pavelka, P. Eng.
Chief Administrative Officer

SUBJECT: **Windermere Basin Rehabilitation Project Status Update**

BACKGROUND:

Council, at its meeting of April 5, 1988, approved the funding agreement for the Windermere Basin Rehabilitation Project.

The cost of the project was to be funded as follows:

Region	(16.7%)	$750,000
City of Hamilton	(16.7%)	$750,000
Public Works Canada	(27.8%)	$1,250,000
Province of Ontario	(27.8%)	$1,250,000
The Hamilton Harbour Commissioners	(11%)	$500,000
	Total	$4,500,000

As a result of increases in construction costs ($731,803.23) the funding partners were requested to provide additional funding to complete the project. A request addressed to staff for additional funding from the City and Region, dated January 12, 1990 from the Hamilton Harbour Commissioners was received.

The requested cost share breakdown was as follows:

Partners	Original Contribution	Increased Costs	Revised Request
Region	$750,000	$106,638.21	$856,638.21
City of Hamilton	$750,000	$106,638.21	$856,638.21
Public Works Canada	$1,250,000	$177,730.34	$1,427,730.34
Province of Ontario	$1,250,000	$177,730.34	$1,427,730.34
Hamilton Harbour Commissioners	$500,000	$163,066.13	$663,066.13
Total	$4,500,000	$731,803.23	$5,231,803.20

Public Works Canada and their consulting engineer, Mar-Land Engineering Limited, have negotiated a settlement of the Breach of Contract Claim with McNally in the amount of $225,000. As the Region and the City of Hamilton were neither parties to the action nor involved in the negotiations, staff are not in a position to comment on the proposed settlement. The City Law Department has previously advised Council that under the terms and conditions of the funding agreement, the City of Hamilton is not obligated to share in any increased costs.

The City of Hamilton and the Region are being asked to contribute to the costs of settling McNally's claim, and at a meeting held September 11, 1992, several proposals were presented to staff. It appears that this most recent proposal is for the City to contribute a total of $94,943.26 toward the cost of the original contract and settlement of claim with McNally. Alternately, it appears that the Federal and Provincial Governments and the Harbour Commission may be prepared to initiate a lawsuit against the City and Region.

c.c. Allan C. Ross, Treasurer
P. Noé Johnson, City Solicitor
V.J. Abraham, M.C.I.P., Director, Regional Planning Division
E. M. Gill, Senior Director of Roads

7(b)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 15

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Joe Pavelka
Chief Administrative Officer

SUBJECT: COURT OF REVISION

RECOMMENDATION:

1. That a Court of Revision be appointed consisting of either 3 or 5 members of City Council to hear complaints against Local Improvement Assessments, and that the Court Revision convene separately from any other Standing Committee of City Council.

2. That the Treasurer be authorized and directed to undertake a complete review and examination of the Notice of Local Improvement Assessment which is given to homeowners affected by the work undertaken by the City with the view to modifying and improving the format and wording of the notice, satisfactory to the City Solicitor and the City Clerk.

3. That a presentation be made by staff for each sitting of the Court of Revision explaining the following areas:

   (a) jurisdiction and authority of the Court of Revision.

   (b) method and procedure used for undertaking the work as a local improvement ie. on petition or on the initiative of City Council.

   (c) brief explanation of the specific Local Improvement projects under appeal.

(d) options available to commute the special local improvement assessment ie. annual instalments or payment of the total amount.

4. That all departmental files, drawings and by-laws associated with the Local Improvement projects be made available at the sittings of the Court of Revision for immediate reference purposes.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

Several years ago unsuccessful attempts were made to solicit applications from citizens interested in sitting on the Court of Revision. Consequently, the former Co-ordinating Committee agreed to assume the responsibility of sitting as the Court of Revision.

When the present Standing Committee structure was developed and implemented in 1990, the responsibilities of the former Co-ordinating Committee including the Court of Revision were assumed by the Finance and Administration Committee.

The Court of Revision meets once a year to hear complaints against local improvement assessments and has the power to make certain corrections as stipulated in the Local Improvement Act.

Section 43 of the Local Improvement Act stipulates that the Court of Revision **shall** consist of three or five members appointed by Council. Every such member shall be a person eligible to be elected a member of the Council or shall be a member of the Council. This arrangement worked well previously as the Co-ordinating Committee consisted of 5 members of Council.

It is therefore recommended that in order to comply with the requirements of the Local Improvement Act, a Court of Revision be appointed consisting of either three or five members of City Council, and convene separately from any other Standing Committee of City Council.

The existing Notice of Local Improvement as prescribed in the Local Improvement Act lacks pertinent information and is somewhat confusing in its description of the local improvement charge because it also includes figures showing the total cost of the project and the City's share of the cost.

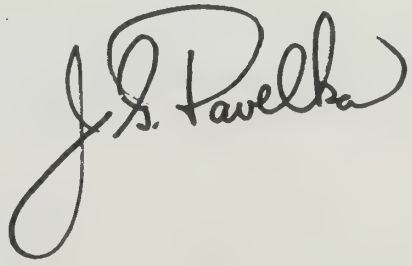
While maintaining substantial conformity with the form prescribed by the Local Improvement Act, it is intended to modify the Notice satisfactory to the City Solicitor and City Clerk, by including additional information to clearly indicate the homeowners share of the cost of the work and the options available for commutation.

For your information, the Treasurer has ascertained that the interest rate required to compute the yearly local improvement charge can be confirmed prior to the sending of this notice. This you will recall was an issue in one instance.

If the homeowner intends to attend the Court of Revision, they will be requested to contact the Local Improvement Section in the Treasury Department at a specified telephone number to arrange an appointment. This procedure will also trigger a mechanism for answering general inquiries regarding the notice itself thus may eliminate the need for homeowners to attend the Court of Revision sitting.

Sittings of the Court of Revision should be properly organized, structured and coordinated to provide for brief staff presentations on the jurisdiction and power of the Court of Revision, method and procedure used by the City for the works undertaken with the assistance of complete files, drawings and by-laws for reference purposes.

Implementation of the above recommendations will ensure the elimination of confusion and embarrassment as experienced at the last Finance and Administration Committee meeting for which staff once again apologizes.



c.c.: A. Ross, Treasurer
P. Noe-Johnson, City Solicitor
J. Schatz, City Clerk
T. Engelbrecht, Administrative Co-ordinator, Transportation/Environmental Services
R. Meiers, Operations Engineer, Public Works Department

8.

CITY OF HAMILTON

- INFORMATION -

DATE: 1993 February 12

REPORT TO: S. K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Municipal Regulation: Adult Videotapes

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: See below.

BACKGROUND: The Finance and Administration Committee, at its meeting January 21, 1993, concurred in the following motion:

> That the City Solicitor and Manager of Licensing be directed to review the City of Mississauga By-law, other similar By-laws and related material, to prepare a Draft By-law for presentation to the Finance and Administration Committee at its 1993 February 18th meeting to:
>
> (a) restrict the locations of adult video stores; and,
> (b) to require specific designated and restricted areas for the display of adult video material within stores selling or renting video material.

DISCUSSION:

In accordance with the above instructions, the Law Department has prepared the attached draft Bylaw for adult Videotape Licensing and Regulation. The draft Bylaw has been prepared using the authority under the Municipal Act s. 225. With respect to the instruction to restrict the locations of adult video stores, as referenced in the Mississauga experience, the appropriate Zoning Bylaws must be reviewed and the Public participation process invoked in order to address the concerns of Council. The License aspect is only a partial answer.

The draft by-law proposes to licence stores which sell or rent adult videos as a primary part of their video sales or rentals. These stores will be subject to licence fees, and will have to restrict entry by people under 18. Existing locations must be determined and cannot be affected beyond the regulatory conditions for a license and separate areas for adult material. The by-law in conjunction with appropriate amendments to the permitted use Zones will restrict the opening of stores to those locations.

Any business not currently affected by license requirements, but renting or selling some adult videos, would have to establish an area for display of the materials and restrict access to adults, along with posting signs to that effect. The draft by-law will affect current businesses, who must either be licensed, or set up a separate area for adult videos. The owners of the businesses will be expected to enforce the restriction on entry by minors, which will apply to employees under the age of 18. Those operations which are in the planning stages, not yet open, may be required to locate in areas identified in the Zoning Bylaw (amended if necessary).
Licences are not required if the provision of adult videos is only incidental to the business of providing non-adult tapes.

If the City has undertaken planning studies which establish criteria, without granting monopolies, it would not have to grandfather current operations at unacceptable locations. Without this factual basis exposure to claims for economic loss (including legal costs) and interference due to the regulatory or zoning bylaws as contemplated would be considerable. Without such studies, we respectfully recommend grandfathering the existing operations, (as the City of Mississauga did) should their current locations be non conforming with any future Zoning Bylaw amendments.

The draft by-law as proposed would be separate from other licence by-laws, and contain details specific to its enforcement and administration. Costs to enforce the provision should be offset in whole or in part by the fee imposed. Revenue generated by those fines imposed for breaches to the License Bylaw are paid to the City since the enabling legislation is the Municipal Act. Maximum fines are $25,000 for a person/ officer/ director of a corporation that contravenes the Bylaw and $50,000 for a corporation. Fines are in the discretion of the courts.

Other municipalities are considering passing by-laws dealing with adult video stores. Press reports have indicated both Stoney Creek and Burlington are considering by-laws, which are not available to the public. Burlington's by-law will be available on February 22nd and a copy has been requested.

Before passage, the following matters must be addressed and added to the by-law:

(a) Date of Enactment. Stores required to establish a adult video area will need some time to build or modify display areas. The time granted would also be useful for training of staff, and for locating and determining the number of stores required to be licensed.

(b) Date of Grandfathering. A date must be chosen for the establishment of stores, which will be added as existing sites where adult video stores are permitted.

(c) A map must be developed and added to the schedule, detailing where adult video stores may be located.

(d) The number of adult video stores must be determined.

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THE CITY OF HAMILTON

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

A by-law for the licensing, regulating and governing of adult video stores, and for regulating video stores in which adult videos are provided.

WHEREAS the Corporation of the City of Hamilton has the power to pass by-laws for licensing, regulating, governing, classifying and inspecting Adult Entertainment Parlours, to define the areas in which Adult Entertainment Parlours of any class may operate, and to limit the number of licences available;

AND WHEREAS it is desirable to licence and regulate adult entertainment parlours which are stores providing adult videos to limit access by minors to adult videos, and provide for location of adult video stores;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

DEFINITIONS

1. In this by-law:

(1) "adult video" , subject to (2) means a video the content of which appeals to or is designed to appeal to erotic or sexual appetites or inclinations through the portrayal or depiction of:

(a) one or more of the specified body areas of any person, or

(b) one or more of the specified sexual activities;

(2) In the absence of evidence to the contrary, a video classified by the Ontario Film Board as "restricted", with the added information piece "adult sex film" shall be deemed to be an adult video, while a video without such classification and information piece shall be deemed not to be an adult video;

(3) "adult videotape area" means an identifiable part of any premises, which part is used for the provision of adult videos, or the display of adult videos or containers for videos depicting the specified sexual activities or specified body areas;

(4) "adult video store" means any premises:

(a) used for the carrying on of the business of the provision of adult videos; or

(b) in which adult videos are provided in the pursuance of a business and to which premises entry by persons under the age of 18 years is prohibited, or in respect of which premises it is advertised or notice is given that such entry is prohibited; or

(c) in which adult videos are provided in the pursuance of a business and in respect of which it is advertised, or notice is given either by signs or other advertising devices on or in the premises, or otherwise, that the premises are an "adult video store", an "adult videotape store", an "adult video rental store", or are otherwise described by words of like meaning;

(5) "Corporation" means the Corporation of the City of Hamilton;

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(6) "Council" means the council of the Corporation;

(7) "Licence Manager" means the manager of the Licensing Division or, in his or her absence, any person authorized to fulfil the responsibilities of the licence manager;

(8) "Licensing Committee" means The Licensing Committee of the City of Hamilton established by Council to conduct hearings for licensing matters;

(9) "Licensing Division" means the licensing division of the Clerk's Department of the Corporation, responsible for administration of this by-law;

(10) "operator" includes a proprietor, or any other person who alone or with others, manages, supervises, runs or controls a video store;

(11) "owner" means a person who alone or with others has a right to possess or occupy a video store or actually does possess or occupy a video store, and includes a lessee of premises used as a video store;

(12) "sell" includes to rent;

(13) "specified body areas" means any one or more of the following:

(a) in the case of a female person, her areolae; and

(b) in the case of all persons, the genitals and the anus;

(14) "specified sexual activities" means any one or more of the following: actual or simulated sexual intercourse, masturbation, ejaculation, sodomy, bestiality, oral sexual intercourse, direct physical stimulation of unclothed genital organs, or flagellation or torture in the content of a sexual relationship or activity;

(15) "to provide", when used in relation to any adult video, means to sell, by retail or otherwise, or to display or offer the sale, and "providing", "provided" and "provision" have corresponding meanings;

(16) "video" includes cinematographic or motion picture film, videotape, video disc and any other medium from which may be produced visual images that may be viewed as moving pictures;

(17) "video store" means any premises or part thereof in which videos are provided in the pursuance of a business, and includes an adult video store.

LICENCE REQUIREMENT

2.(1) Subject to section 3, every person being an owner or operator of a store, from which adult videos are provided, shall obtain and maintain in good standing a licence from the City under this by-law, authorizing the sale from the store of adult videos.

(2) No person shall carry on or engage in the business of providing adult videos from any store, unless a license has first been obtained for that store under subsection (1), and the licence fee paid in full.

(3) Where a person being the owner or operator of an adult video store, is licensed under this by-law, no employee of the store need obtain a separate licence.

3. A licence is not required for any video store in which the provision of adult videos is only incidental to the carrying on of the business of the provision of videos which are not adult videos, but the owner or operator of such store shall comply with the regulations otherwise made applicable under this by-law.

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DEFINED AREAS AND LIMITATION ON NUMBERS OF LICENCES

4.(1) Schedule 1 to this By-law, which Schedule is annexed to and forms a part of this by-law, describes certain areas, shown on a map, which areas shall be deemed to define an area for the purposes of this section and that Schedule.

(2) In respect of areas defined in Schedule 1 to this By-law, no licence or licences may be granted except as permitted in that Schedule, or in a greater number than those specified in such Schedule.

(3) No person shall operate an adult video store in the City except in an area provided in Schedule 1 and as permitted under this By-law.

ADMINISTRATION

5. The Licensing Division shall:

(a) receive and process all applications for licences and renewal of licences required under this By-law;

(b) administer the issuance of licences in accordance with the provisions of this By-law;

(c) maintain and keep records of all applications received and licences issued;

(d) generally perform administrative functions incidental and necessary to the due administration and enforcement of this By-law.

APPLICATIONS FOR LICENCES

6.(1) Every person applying for a licence under this By-law shall file with the Licensing Division a duly completed application form provided by the Licensing Division, in which the applicant shall provide all information sought in such application form.

(2) The applicant shall, at the time of the filing of the application form required under subsection (1), deliver to the Licensing Division the following:

(a) cash, money order or certified cheque in the amount of $2,000.00, which sum is hereby fixed as the licence fee for every licence required under this By-law and for the renewal thereof;

(b) if the applicant is a corporation, a copy of the incorporating document, a copy of the last information return filed for the corporation and any changes or corrections to the information contained;

(c) if the applicant is a registered partnership, a copy of the registered declaration of partnership and any changes or corrections to the information contained; and

(d) a copy of the registration of the trade name to be used for the store.

7. The applicant for a licence or renewal of a licence, subject to this by-law, shall provide at a minimum the following information as part of the application for a licence:

(a) the name and residence address of the applicant, or in the case of a corporation, those of the officers and directors, and in the case of a partnership, those of all partners;

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CITY SOLICITOR
THE CITY OF HAMILTON

(b) the address of the applicant and of the intended licensee, to which the Corporation or its Licensing Division may send or deliver any notice or other document required or authorized by law;

(c) the municipal address of the one building, premises or place from which business will be carried on and in respect of which a licence is sought;

(d) the name and address of the owner of any building, premises or place in which any such business is to be carried on;

(e) any trade or business description to be used;

(f) the telephone number of the business;

(g) a record of all offenses for which the applicant has been convicted, other than offenses relating to motor vehicles, under any by-law, provincial statute or federal statute in respect of the applicant, if the applicant is an individual, any of the partners, if the applicant is a partnership, or any of the directors and officers of a corporation, if the applicant is a corporation.

8.(1) If the applicant is not an individual, the application form shall be completed and updated from time to time as this By-law requires, by an individual duly authorized by the applicant to execute such form on behalf of the applicant and binding upon it, and the individual completing such form shall sign the form, certifying the truth and completeness of the information provided therein.

(2) The provisions of this by-law relating to an application for a licence shall apply, with necessary modifications, to an application for the renewal of a licence or to amend a licence, except that where the applicant, in writing and prior to expiry of the licence being renewed, notifies the Licensing Division that the information on file with the Licensing Division has not changed, the applicant shall not be required to complete a new application form or amendment thereto in respect of an application for renewal.

9.(1) Upon the receipt of an application form by the Licensing Division, the Licence Manager shall carry out such investigation or verification relating to the application as he or she may deem necessary for the purposes of the administration of this By-law and shall submit the material to the Licensing Committee with a recommendation to issue the licence, unless the investigation or any other information available to the Licence Manager discloses :

(a) a reasonable ground to believe that the application is not in compliance with the By-law, or

(b) that the applicant may not be entitled to the issuance of a licence on the grounds referred to in this By-law or by reason of any other provision of this By-law or other applicable law.

(2) If the investigation or any other information available to the License Manager discloses reasonable grounds to believe that the applicant may not be entitled to the issuance of a licence on grounds referred to in this By-law, or by reason of any other provision of this By-law or other applicable law, the Licence Manager shall cause notice of this fact and the reasons therefor to be served upon the applicant at the address for notices shown on the application form, and may refer the matter to the Licensing Committee for the holding of a hearing under this By-law.

(3) The Licence Manager shall, in any notice served under subsection (2), include in such notice a statement that the applicant may require a hearing of the application by the Licensing Committee by the applicant serving a notice in writing to that effect upon the Licence Manager within 15 days of the date of the notice, and a statement that if no such notice is served by the applicant the application may not be granted and the applicant will not be entitled to any further notice in the proceedings.

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(4) Where the Licence Manager receives notice from an applicant requiring a hearing in accordance with this section, the Licence Manager shall forthwith refer the application to the Licensing Committee for a hearing.

(5) Where the Licence Manager does not receive notice from an applicant requiring a hearing in accordance with this section, the Licence Manager need not process the application further, and no further notice is required to be served upon the applicant.

(6) Where an application has been referred to the Licensing Committee for a hearing under this section, and the applicant does not attend before the Licensing Committee at the time and place of which notice has been served upon such applicant in accordance with this By-law, the Licensing Committee may hold a hearing in the absence of the applicant without further notice to the applicant.

APPROVAL, DENIAL, REVOCATION AND SUSPENSION OF LICENCES

10. Where the Licence Manager has referred an application to the Licensing Committee for a hearing pursuant to section 9 of this By-law, the Licensing Committee may, after a hearing, or after an opportunity for a hearing has been given to the applicant:

(a) grant the application in whole or in part and direct that the licence be issued, subject to compliance with this By-law;

(b) recommend that Council refuse in whole or in part to grant the application upon grounds contained in this By-law or otherwise by law;

(c) adjourn the application in accordance with this By-law, or make such other disposition as may be permitted under this By-law and is in accordance with law.

11. An applicant for a licence who complies with the provisions of this By-law is, subject to the provisions of this By-law, entitled to be issued a licence except where:

(a) there are reasonable grounds for belief that any application form or other document provided to the Licensing Division by or on behalf of the applicant contains a false statement or provides false information; or

(b) the past or present conduct of the applicant, or of any partner, in the case of an applicant which is a partnership, or of any director or officer of a corporation, if the applicant is a corporation, affords reasonable grounds for belief that the business in respect of which the application is made will not be carried on in accordance with the law and with integrity and honesty; or

(c) there are reasonable grounds for belief that the carrying on of the said business will result in a breach of this By-law or any other law, including any applicable zoning requirement; or

(d) there are reasonable grounds for belief that the application does not meet all the requirements of this By-law, or that the business is carried on or intended to be carried on in an area of the City where such business is prohibited by this By-law from being carried on, or in respect of which the issuing of a licence in respect of the business is not permitted by this By-law; or

(e) there are reasonable grounds for belief that the building, premises or place in which the business is carried on or intended to be carried on does not comply with the provisions of this By-law, or with any other law, including any applicable building requirements, or is dangerous or unsafe; or

(f) the conduct of the applicant or of one or more of the persons referred to in paragraph (b) of this subsection affords reasonable grounds for belief

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HAMILTON

that the carrying on of the business in respect of which the licence is sought would infringe the rights, or endanger the health or safety, of one or more members of the public; or

(g) the fee payable in respect of the licence applied for has not been paid.

12.(1) The Licence Manager may, where he or she has reasonable grounds to believe that any one or more grounds exist upon which a licence could be revoked or suspended, the Licence Manager shall cause notice of this fact and the reasons therefor, with notice to the licensee of a right to a hearing, to be served upon the licensee at the address for notices shown on the application form, and may refer the matter to the Licensing Committee for the holding of a hearing in accordance with this By-law and other applicable law.

(2) Where a matter has been referred to the Licensing Committee for a hearing under this section, and the applicant does not attend before the Licensing Committee at the time and place of which notice has been served upon such applicant in accordance with this By-law, the Licensing Committee may hold a hearing in the absence of the applicant without further notice to the applicant.

13.(1) Upon the conclusion of a hearing conducted by a Licensing Committee under this By-law, where a recommendation has been made to deny or revoke a licence, or suspend a licence with or without conditions, the Licensing Committee shall as soon as practicable make a written report to the Council, summarizing the evidence and arguments presented by the parties, the findings of fact made and the recommendations, if any, with reasons therefor on the merits of the application or matter in respect of which the hearing has been conducted.

(2) After considering the report of the Licensing Committee provided under (1), Council may make any decision permitted under this By-law that it or the Licensing Committee might have made in respect of the hearing, without holding a further hearing or providing an opportunity for a further hearing to the applicant or licensee.

(3) Council may suspend a licence with or without conditions, or deny or revoke a licence upon any of the grounds set out in section 11, or upon the grounds of non-compliance by a licensee with this By-law or other applicable law, provided that no licence shall be revoked or suspended except after a hearing by the Licensing Committee appointed by by-law for the holding of one or more hearings, or after an opportunity for such a hearing has been afforded to the applicant or licensee in accordance with law.

TERMS OF LICENCES

14. Every licence issued under this By-law shall expire on December 31 of the year for which it is issued, unless sooner revoked or suspended.

15. A licence certificate issued under this By-law, and any form or document provided to a licensee or applicant for the insertion of information, is and shall remain the property of the Corporation, and shall be delivered forthwith to the Licensing Division upon the written or oral request of the Licence Manager.

16. A licence issued under this By-law:

(a) is personal to the licensee to which it was issued and may not be transferred by the licensee;

(b) is only authorization for the use of premises for which it was issued and as identified on the certificate, and may not be transferred by the licensee to a location different than the location for which it was issued, without the written approval of Council or the Licensing Committee that the transfer is in compliance with this by-law; and,

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THE CITY OF HAMILTON

(c) is subject to the provisions of this by-law as may be enacted from time to time.

17. Where a licence has been revoked, the licensee is entitled to a refund of a part of the license fee proportionate to the unexpired part of the term for which it was granted.

18.(1) Every licensee shall notify the Licensing Division in writing within four days after the event, of any change in any of the information contained in the application form.

(2) Where a change has occurred in the name or business name of a licensee the licensee shall attend within four days of the date of the change at the office of the Licensing Division, to have the licence and licence records amended accordingly.

NOTICE

19.(1) A notice given pursuant to this by-law shall be served personally, or by registered mail sent to the person at the last address appearing in the records of the Licence Division.

(2) Service by registered mail shall be deemed to be made on the third day on the date of mailing, unless the person on wh om service is being made established that he or she did not, acting in good faith, through absence, accident, illness or other cause beyond his or her control, recieve the notice or order until a later date.

REGULATIONS APPLICABLE TO ADULT VIDEO STORES

20. Every licensee shall:

(a) prominently display the licence at the premises licensed at all times and shall produce the licence upon request by the Licence Manager, any by-law enforcement officer and any police officer;

(b) keep the premises in a clean and sanitary condition;

(c) maintain on the premises, during all business hours, a current list of all adult videos available on the premises, including the rating applied to the film by the Ontario Film Review Board and whether the film has been approved by the Board with the requirement to have affixed the designation of "Adult Sex Film", and make the list available for inspection by the Licence Manager, any municipal by-law enforcement officer or any police officer.

(d) advertise, promote and carry on such business only under the name in which the licence is issued, or such other business or trade name as provided to the Licensing Division in writing and added to such licence.

21.(1) No owner or operator of an adult video store shall permit any person under the age of eighteen years to enter or remain in such store.

(2) No owner or operator of an adult video store shall permit any employee to work in that part of any video store in which adult videos are provided, unless such employee is of the age of eighteen years or older.

22.(1) Every owner or operator of an adult video store shall post and keep posted at every entrance to the adult video store, and in a prominent location inside such store, signs sufficient to indicate clearly to any person approaching or entering the store, and to every person in the store, that no person under the age of eighteen years is permitted to enter or remain in such store or any part thereof.

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THE CITY OF HAMILTON

(2) No owner or operator of an adult video store shall use exterior signs or advertisements for the store which use a pictorial representation of a specified body areas or a specified sexual activity.

REGULATIONS APPLICABLE TO ALL VIDEO STORES

23. In this part, an adult video shall include the container of an adult video which appeals to or is designed to appeal to erotic or sexual appetites or inclinations through the portrayal or depiction of:

(a) one or more of the specified body areas of any person, or

(b) one or more of the specified sexual activities;

24. No owner or operator shall permit any person under the age of eighteen years to enter or remain in any part of the video store where adult videos are provided.

25.(1) An owner or operator of a video store providing adult videos shall designate an area of the video store as an adult videotape area, being an identifiable portion of the premises or the whole premises in which adult videos are provided or displayed.

(2) An owner or operator of a video store providing adult videos shall comply with the following regulations in respect of the adult videotape area designated under (1):

(a) Subject to (d), signs shall be posted at every approach and entrance to the designated area, indicating that no person under the age of 18 years old is permitted to enter or remain in the designated area;

(b) Adult videos shall be displayed only in the designated area;

(c) Adult videos which reveal a specified body area or a specified sexual activity, shall be displayed so that they may not be viewed by any member of the public outside the designated area; and

(d) Where the whole store is designated as the area for the provision of adult video tapes, signs shall be posted at each public entrance to the store.

(3) An owner or operator of a video store providing adult videos shall be responsible for informing any employees of the video store of the boundaries of the area designated under (1) and the requirement that persons under the age of 18 years old not be allowed to enter or remain in the area designated.

(4) No owner or operator of a video store providing adult videos shall permit a person under the age of eighteen years to enter or remain in the adult videotape area designated by the owner or operator under this section.

PENALTY

26.(1) Subject to (2), every person who contravenes this by-law, and every director or officer of a corporation who concurs in such contravention by the corporation is guilty of an offence and on conviction is liable to a fine not exceeding $25,000.00, exclusive of costs, or to imprisonment for a term not exceeding one year or to both.

(2) Where a corporation is convicted of an offence under subsection (1), the maximum penalty imposed on the corporation is $50,000.00, exclusive of costs, and not as provided therein.

SEVERABILITY AND SAVING

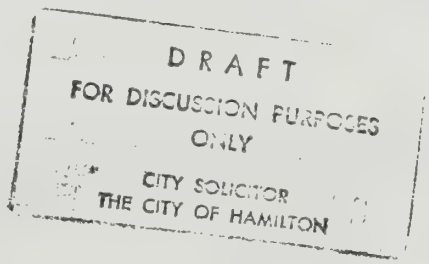
27. Should a court of competent jurisdiction declare a part or the whole of any provision of this by-law to be invalid or of no force and effect, the provision or part is deemed severable from this by-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under the law.

SHORT TITLE

28. This by-law may be referred to as the "Adult Video By-law", and licences issued under this by-law may be referred to as "Adult Video Store Licences".

EFFECTIVE DATE

29. This by-law comes into force and effect on



PASSED this day of A.D. 1993.

City Clerk **Mayor**

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THE CITY OF HAMILTON

SCHEDULE 1 TO BY-LAW NO. 93-

1. (1) That part of premises at each of the following municipal addresses in actual use for the purpose of an adult video business as of , 1993 is hereby defined as an area in which one adult video store is, if it is in compliance with all other applicable law, permitted to operate and eligible to be licensed for so long as such part of such premises continues to be lawfully used for such purposes:

(a)

(2) For the purposes of subsection (1), any part of premises in respect of which application was made, prior to , 1993, for a building permit for alterations to enable the expansion of an existing adult video store, shall be deemed to be included as part of the area defined in respect of those premises, provided that such permit is granted.

2. In addition to the areas defined in section 1 of this Schedule, one adult video store may be operated in the totality of the shaded part of each of the numbered designated areas shown on the attached map, subject to compliance with all applicable law including the enactment by the Council of amendments to its zoning by-laws for such purpose should the Council see fit to exercise its authority to implement such objective.

3.(1) Subject to (2), the total number of Adult Video Store licences to be granted under this by-law is 4.

(2) The total number of Adult Video Store licences to be granted under this by-law shall be reduced from 4, as the licences expire without renewal by the licence holder or as the licences are otherwise surrendered or lawfully revoked, until the number of licences is reduced to 2.

4. The attached map shall form part of this Schedule.

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Office of the Clerk

Robert C. Prowse, Clerk
Michael A. Rallo, Deputy Clerk

January 20, 1993

C 9.
RI
RE
RE. D. TO
REF'D. TO S.K.R.
ACTION: F.Y.I

Mr. J. Schatz, Clerk
City of Hamilton
77 Main Street West
Hamilton, Ontario
L8P 1H4

Dear Mr. Schatz:

Re: Health and Social Services Committee
Report 1-93, Item 1

Subjoined, please find Item 1 of Report 1-93 of the Health and Social Services Committee which was approved by Regional Council at its meeting held on Tuesday, January 19, 1993.

1. Ad Hoc Committee on Tobacco Control Policy (HEA 92-118)

That the recommendations of the Ad Hoc Committee on Tobacco Control Policy, as outlined in Appendix 1, attached to report HEA 92-118, be approved.

(Appendix 1 attached)

Should you have any questions or require further information, please contact the writer.

Yours truly,

Mary Gallagher

Mary L. Gallagher
Legislative Assistant

/MLG
Encl.

119 King Street West, 15th Floor
P.O. Box 910
Hamilton, Ontario L8N 3V9

Tel. (416) 546-4154
Fax (416) 546-2546
TDD (416) 522-1787

REGION OF HAMILTON-WENTWORTH

- RECOMMENDATION -

DATE: 1992 December 23

REPORT TO: Chairman and Members
Health and Social Services Committee

FROM: Dr. Fran Scott
Medical Officer of Health

SUBJECT: **Ad Hoc Committee on Tobacco Control Policy (HEA-92-118).**

RECOMMENDATION:

a) *That the recommendations of the Ad Hoc Committee on Tobacco Control Policy as outlined in Appendix 1, attached herewith to report HEA-92-118, be approved.*

Fran Scott, MD, CCFP, FRCP, Msc,
Medical Officer of Health.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

At its regular meeting on March 10, 1992 Dr. Barbara Gowitzke, President of the Hamilton-Wentworth Council on Smoking and Health and Dr. Michael Goodyear, Chair of the Legislation Committee along with members of other various health organizations such as the Cancer Society, the Lung Association and Non-Smokers Rights, addressed the members of Health & Social Services Committee on Smoking and Health.

At that time, the following recommendation was put forward and approved by members of the Committee:

a) That a staff committee be established to review the recommendations of the Hamilton-Wentworth Council on Smoking and Health respecting Tobacco Control Policy in the Region of Hamilton-Wentworth.

b) That the committee include a member of the Hamilton-Wentworth Police Services and members of the Health and Social Services Committee.

c) That the recommendation of the City of Hamilton Finance and Administration Committee respecting a proposed bylaw to regulate the sale of tobacco to minors be referred to the committee for the appropriate consideration and action.

In order to comply with the recommendations of Committee, an Ad Hoc Committee on Smoking was established and the report from this Committee is attached herewith as Appendix I.

We are now bringing this report and attachment forward with the above recommendation.

Attachment.

DATE: 1992 December 17

REPORT TO: Chair and Members,
Health and Social Services Committee

FROM: Dr. Barbara Gowitzke, Chair
Ad Hoc Committee on Tobacco Control Policy

SUBJECT: **Report and Recommendations from the Ad Hoc Committee on Tobacco Control Policy**

RECOMMENDATIONS:

(a) That the Regional Municipality of Hamilton-Wentworth, through its Regional Department of Public Health Services, educate the general public about the hazards of tobacco use, including the very real hazards of environmental tobacco smoke (ETS) and the powerful addictive nature of nicotine.

(b) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to enact legislation to eliminate sponsorships and other advertising schemes of tobacco companies.

(c) That the Regional Municipality of Hamilton-Wentworth encourage each municipality within the Region, (i.e., the three municipalities which do not have a program already in place,) to adopt an incentive smoking cessation program for its employees.

(d) That the Regional Municipality of Hamilton-Wentworth request the Regional Police Services Board to update the knowledge of its police services regarding all federal, provincial, and municipal laws related to purchase and possession of tobacco, so that laws controlling purchase and possession of tobacco by minors may be enforced, and that prosecution under these statutes be strongly encouraged.

(e) That the Regional Municipality of Hamilton-Wentworth, encourage the Regional Police Services Board to assist with enforcing federal and provincial acts by providing referrals to the R.C.M.P. and O.P.P.

(f) That the Regional Municipality of Hamilton-Wentworth encourage its police services to assist By-Law Enforcement Officers in each municipality with enforcing municipal by-laws concerned with smoking in the workplace and in public places. That, if necessary, staff time in each municipality be re-allocated to focus on By-Law enforcement.

(g) That the Regional Municipality of Hamilton-Wentworth, through its Regional Department of Public Health Services, assist with enforcing municipal smoking and tobacco by-laws by providing referrals to By-Law Enforcement Officers in each municipality.

(h) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to enact new, or strengthen existing, legislation to prevent the sale of tobacco to minors.

(i) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to license tobacco vendors.

(j) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to enact new, or strengthen existing, legislation to reduce the hazards of environmental smoke in public places.

(k) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to enact new or strengthen existing legislation to eliminate the hazards of environmental smoke in the workplace. That, where necessary, enabling legislation be requested from the Province of Ontario.

(l) That, in support of the Mandatory Programs and Services Guidelines of the Department of Public Health Services, and in keeping with the Implementation Team Report of the Regional Chairman's Task Force on Sustainable Development, the Regional Municipality of Hamilton-Wentworth adopt a resolution of a smoke-free community by the year 2000.

(m) That the Regional Municipality of Hamilton-Wentworth appoint a member of the Health and Social Services Committee to represent the Region on the Hamilton-Wentworth Council on Smoking and Health.

(n) That the Regional Municipality of Hamilton-Wentworth direct the Tobacco Use Prevention Committee of the Department of Public Health Services to assume the responsibility of monitoring the progress of the tobacco control policy in the Region of Hamilton-Wentworth and make an annual report to the Health and Social Services Committee.

BACKGROUND:

On March 10, 1992, the Hamilton-Wentworth Council on Smoking and Health (HWCSH) made a presentation on Tobacco Control Policy in the Region of Hamilton-Wentworth to the Health and Social Services Committee (H&SSC). As a result of that presentation, it was decided to establish an Ad Hoc Committee on Tobacco Control Policy with the mandate to review the recommendations of HWCSH respecting Tobacco Control Policy in the Region of Hamilton-Wentworth. The Committee was to include a member of the Hamilton-Wentworth Police Services, a member of HWCSH, and a member of H&SSC. Dr. Fran Scott's office assumed the responsibility of forming the Committee.

The following members served on the Committee:

Councillor Geraldine Copps, H&SSC
Councillor Grant Shaw, H&SSC
Staff Inspector John Gruhl, replaced by Sergeant John Peatfield, H-W Police Services
Mr. Frank Shimoda, Director of Inspection Services, H-W Department of Public Health
Mr. Jim Ford, Chief Inspector, H-W Department of Public Health
Mrs. Dene Mawson, Support Staff who acted as Recorder, H-W Department of Public Health
Mr. David Beck, H-W Legal Services Department (non-sitting member, who acted as legal consultant)
Dr. Barbara Gowitzke, HWCSH, who acted as Chair.

The Committee met eight times and reviewed the recommendations of HWCSH. The Committee also became more knowledgeable about the hazards of tobacco and attempted to bring this area of concern into proper perspective relative to other health hazards in the community. Documentation of some of these concerns follows. In addition, during the course of their deliberations, the Committee developed an overall 'Action Plan' concerned with Tobacco Control Policy. The 'Plan', which was organized around the broad topics of prevention, cessation, protection, and implementation, identified specific areas of improvement and responsibility. From this 'action plan', 14 recommendations were formulated.

DOCUMENTATION REGARDING TOBACCO:

Tobacco and smoking:

Tobacco kills! 38,000 Canadians die annually from tobacco use (Collishaw and Leahy, 1991). Biostatistics and epidemiology have shown that this figure is destined to increase so that by 1995, it is estimated that 48,000 Canadians annually will lose their lives because of their use of tobacco (Statistics Canada, 1989).

Canada is not alone, as tobacco-related deaths have reached epidemic proportions in many regions of the world. Globally, tobacco is estimated to cause at least 3 million deaths a year, 2 million of which are in developed countries. Recent evidence has confirmed that the risks of smoking are much higher than previously thought, and at least a third, and probably as many as one-half of all smokers will eventually be killed by their habit. (World Health Organization, 1993).

According to the Chief Medical Officer of Health, tobacco use claims over 13,000 lives each year in Ontario alone (Schabas, 1991). In fact in Ontario, tobacco claims twice

as many lives as does alcohol, and five times as many lives as do all other causes of death, including suicide, motor vehicle traffic accidents, falls, AIDS, drugs, poisoning, drowning, homicide, and fire (Statistics Canada, 1989; Schabas, 1991). In the Region of Hamilton-Wentworth, about 25% of the residents, over the age of 15, smoke daily. In the age category of 15 to 44 years of age, 30% of all H-W residents smoke, while only 7% of the over 65-year olds smoke (Health Priorities Analysis Unit, 1990). It should be abundantly clear why the Chief Medical Officer of Health has indicated that "tobacco-related diseases are this province's number one public health problem. The cost in human lives, quality of life and health care dollars is colossal." (Schabas, 1991)

Tobacco is the only legal consumer product which kills when used exactly as intended. There is no safe level of tobacco consumption. Tobacco use results in 30% of all cancer deaths (including 85% of all lung cancer deaths), 30% of all heart disease deaths, and 90% of all chronic lung disease deaths (Goodyear, 1990).

Recent studies have provided evidence of other risks, particularly to women and include the steep rise in the incidence of lung cancer (almost as high as breast cancer), the increased incidence of infection of fallopian tubes, known as pelvic-inflammatory disease, and the likelihood of infertility among smoking women (Hamilton Spectator, 1992).

Involuntary exposure to tobacco smoke:

Until 1986, when the U.S. Surgeon General's Report declared that "involuntary smoking is a cause of disease, including lung cancer, in healthy non-smokers", most non-smokers considered smoking as simply 'unpleasant'. We now know that "environmental tobacco smoke (ETS) is the largest source of indoor air pollution and is also the major combustion source contributing to total human exposure to mutagens and carcinogens." (Environmental Protection Agency, U.S.A., 1989).

Heart disease is now the major cause of death from ETS. The American Heart Association has released a position paper which highlights research demonstrating that the effects of ETS on the circulatory system are essentially the same as those seen in active smokers (Taylor, et al, 1992).

The U.S. Environmental Protection Agency has targeted ETS as a major cause of childhood illness. Two major areas of illness were targeted. The report stated that 3,000 deaths from lung cancer occurred annually in non-smokers due to ETS. The second area of concern dealt with the impact of ETS on children. The report showed conclusive evidence that ETS causes increased respiratory symptoms in children, and an increased incidence of lower respiratory tract infections such as pneumonia, bronchitis, and bronchiolitis (Environmental Protection Agency, U.S.A., 1992).

The Harvard School of Public Health has conducted a study which links environmental tobacco smoke with cancer. Regarded by many as the most concrete evidence to date of the link between ETS and cancer, it is the first study to use autopsy lung tissue samples of non-smokers (Hamilton Spectator, 1992).

Canadian researchers have also studied ETS and have shown some frightening data. For example, side-stream smoke (ETS) contains higher concentrations of several chemicals than the smoke inhaled by the smoker (Wigle, et al, 1987). 85% of smoke in a room results from side-stream smoke (Price, 1989).

As the World Health Organization stated, "smoking is a choice and not a right, and freedom means being allowed to do what does not harm others. Creating smoke-free public areas is not an infringement of civic rights, but a responsible health policy" (World Health Organization, 1991).

Smoking and children:

Virtually all new users of tobacco products are minors (Ontario Council on Smoking and Health, et al, 1991). The tobacco industry recruits its new clientele before children have a chance to understand the consequences of their actions. A scientist at the Addiction Research Foundation of Ontario has indicated that if tobacco companies are going to continue to have a large number of people to whom they can sell their cigarettes, they must recruit new ones, because the old ones die (The Hamilton Spectator, 1992). In fact, studies show that more than one-fifth of Canadians aged 15 to 19 are regular smokers. The few cigarettes that are smoked at age 12 are eventually increased to the point that the teenager or young adult develops an addition to nicotine, which extends into their lifetime.

Many people misunderstand the serious health problems associated with tobacco because of the delay time between the actual use of cigarettes and death. "At current death rates, for every 100,000 smokers now age 15, the following deaths will occur before they reach age 70: car accidents - 1200, suicide - 900, murder - 130, AIDS - 70, drug abuse - 10. However, diseases caused by tobacco will kill about 18,000 of these children before they reach age 70!" (National Clearinghouse on Tobacco and Health, 1990).

Practically all current smokers started smoking before the age of twenty, and by that age, 30-40% are regular smokers. Children apparently ignore health education regarding the hazards of tobacco. Apparently, for them, the need for immediate acceptance is more important than some abstract concept of future illness (Goodyear, 1991).

Education, Legislation, and Enforcement - Effect on Youth Access:

Two studies have provided strong evidence that the passage and enforcement of properly designed tobacco access control measures and merchant education campaigns are

effective in reducing sales of tobacco products to minors and youth consumption of tobacco (Journal of the American Medical Association, 1991).

In one study, the purchase and consumption of tobacco by minors was actually reduced by monitoring retail sales to minors and examining adolescent smoking rates before and after implementation of new legislation. The legislation mandated vendor licensing, active compliance checking by police, and penalties for both merchants who made sale violations, and minors for possession of cigarettes. Only a year and a half after introducing the new legislation, the proportion of children who had experimented with smoking decreased by half, and the number of children who were regular smokers decreased by two-thirds.

The other study used an extensive educational campaign and then combined education efforts with law enforcement on illegal tobacco sales to minors. It is important to note that when the education campaign was mounted, there was a general increased awareness of the problem of youth access to tobacco, but a negligible effect on merchant compliance with the law. Only when the education efforts were coupled with active enforcement did merchants comply with the laws. Based on their findings, the study recommended totally eliminating vending machines, and establishing a tobacco licensing system.

Quite recently, in Edmonton, police charged a retailer for selling cigarettes to children under the Tobacco Control Act. It is the first charge that has been laid in 45 years in Canada, but it suggests that people are getting serious about enforcement (The Hamilton Spectator, 1992). Also recently, the RCMP cracked down on the smuggling of cigarettes into Canada (The Hamilton Spectator, 1992). It would appear that increased enforcement initiatives will benefit Canadians similar to the benefits shown for the U.S.

Public Opinion Polls Re Tobacco Control Policy:

The health care community recently surveyed public attitudes to tobacco policy in Ontario. Interesting and impressive figures emerged. For example, 65% of the population were in favour of retaining high tobacco taxes; 70% were in favour of preventing sales of tobacco products to minors under 18; 24% want the age raised further but 81% would support a minimum age of 19; 75% supported banning vending machines, licensing vendors and requiring proof of age on purchase; 70% supported banning smoking in all public places; and 63% believed that tobacco should only be sold in plain (generic) packaging (Canadian Cancer Society, 1992).

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Lung samples support non-smoker cancer link; Oct. 7
Smoking risk to fallopian tubes; Oct. 17
RCMP seize $350,000 in smuggled smokes; Oct. 29
Public education on lung cancer urged; Oct. 30
Infertility and nicotine linked: study; Nov. 14

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World Health Organization (1993), "Health Services: Our window to a tobacco-free world", World No-Tobacco Day Advisory Kit, Geneva, Switzerland.

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9(a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **Ad Hoc Committee on Tobacco Control Policy**

RECOMMENDATION:

That the Report of the Ad Hoc Committee on Tobacco Control Policy, which was approved by Regional Council at its meeting held Tuesday, 1993 January 19th, be referred to the appropriate City staff for reports back.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Due to complexities of the Ad Hoc Committee Report, and the ramifications therein, it is recommended that staff be given an opportunity to review this report in detail and report back on the ramifications involved.

As well, it has been indicated to my office, that there are a number of people in the community who wish to have an opportunity to address the Committee when this report is reviewed in detail.

JJS/SKR/dbm

10.

CITY CLERK'S DEPARTMENT

MEMORANDUM

****

TO: Susan Reeder, Secretary
Finance & Administration Committee

YOUR FILE:

FROM: J. J. Schatz
City Clerk

OUR FILE:
PHONE: 546-2727

SUBJECT: **BELL CANADA RATE INCREASE**

DATE: 1993 February 11

At its meeting held 1993 February 9 City Council, on the recommendation of Alderman Agostino, directed that the following resolution be forwarded to the Finance and Administration Committee:

"(a) That the Finance and Administration Committee be requested to ask the Chief Administrative Officer to prepare a report on the impact of Bell Canada's bid to increase local residential and business telephone rates and the effect the price increase will have on Hamilton based on the current telephone users, and further

(b) That the Mayor and representatives of City Council be authorized to present a brief to the Canadian Radio-television and Telecommunications Commission in opposition to the proposed rate increases which will be conducting a public hearing that is tentatively scheduled to take place in Hull, Quebec May 17, 1993."

City Council also requested an explanation for Hamilton's exclusion from the Toronto Community Calling Plan area.

att.

c.c. Alderman D. Agostino
J. Pavelka, Chief Administrative Officer
J. Hindson, Director, Information Systems

OTTAWA — Outraged business and consumer groups have blasted Bell Canada's bid to hike local rates by as much as 60 per cent, calling it "disgusting."

Canada's largest — and richest — telephone company announced yesterday it is seeking regulatory permission to increase rates for local service in Ontario and Quebec by $1.40 a month for residential customers and $3.25 a month for business customers by April 1.

On Sept. 1 rates would rise again, by varying amounts, to bring the total rate increase for 1993 to about $7 a month for residential lines and about $9 a month for business lines.

That would increase the local-rate portion of bills by about 60 per cent for residential customers and 23 per cent for businesses.

"We're looking, frankly, to increase our revenue," said Bell rate specialist Bob Farmer.

It would mean an average monthly rise in Hamilton of $4.70. In Burlington, where the current residential rate can be as high as $19 a month, the new rate would be $21.95.

Although Burlington would be included in a community calling plan giving free local calls to Toronto and as far as Ajax, Hamilton would get no such concessions.


Swift

Business and consumer groups reacted to the rate proposals with outrage.

"Quite frankly this whole thing disgusts me," said Catherine Swift, vice-president of the Canadian Federation of Independent Business.

George Horhota, a director of the Canadian Business Telecommunications Alliance, said it was hard to feel sympathetic to a company that just made almost $1 billion in profits.

"Now is not the time to introduce such dramatic price increases on businesses that are still shell shocked from the recession," he said.

The rate increases must be approved by the Canadian Radio-television and Telecommunications Commission.

The commission will start public hearings into Bell's request on May 17 in Hull, Que.

Bell will ask the commission for interim approval of the first round of rate increases as of April 1.

In Edmonton, a spokesman for Alberta Government Telephones said that company will also be applying to the CRTC to raise local rates sometime in the first half of this year.

And B.C. Tel has proposed changes in local service zones in the Vancouver area that would have the effect of boosting rates in some communities.

It wasn't clear yesterday how many of Canada's other major telephone companies may follow suit in asking for higher local rates.

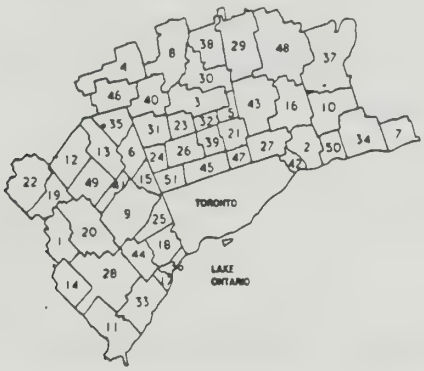
The Bell rate changes, if approved, would bring the company an extra $210 million this year and an additional $450 million in 1994.

Bell Canada had record profits last year of $931 million.

From Canadian Press

MAP 1

Toronto Community Calling Plan area



1. Acton
2. Ajax-Pickering
3. Aurora
4. Beeton
5. Bethesda
6. Bolton
7. Bowmanville
8. Bradford
9. Brampton
10. Brooklin
11. Burlington
12. Caledon
13. Caledon East
14. Campbellville
15. Castlemore
16. Claremont
17. Clarkson
18. Cooksville
19. Erin
20. Georgetown
21. Gormley
22. Hillsburgh
23. King City
24. Kleinburg
25. Malton
26. Maple
27. Markham
28. Milton
29. Mount Albert
30. Newmarket
31. Nobleton
32. Oak Ridges
33. Oakville
34. Oshawa
35. Palgrave
36. Port Credit
37. Port Perry
38. Queensville
39. Richmond Hill
40. Schomberg
41. Snelgrove
42. South Pickering
43. Stouffville
44. Streetsville
45. Thornhill
46. Tottenham
47. Unionville
48. Uxbridge
49. Victoria
50. Whitby
51. Woodbridge

, Québec.

2. BY APPEARING AT A HEARING

The commission will be conducting a public hearing that is tentatively scheduled to take place in the Conference Centre, Phase IV, Place du Portage, 140 Promenade du Portage, Hull, Québec, commencing 17 May 1993 at 9:30 a.m., provided the application file has been completed to the satisfaction of the commission. The first part of the hearing will be devoted to hearing representations from customers If you would like an opportunity to appear and expand on your letter, or make further submissions, you should follow the procedure described above for sending comments to the commission, making sure to include a statement of your desire to appear.

Following these representations, the second part of the hearing will be devoted to a detailed review of the company's evidence. Participation in this part of the hearing, which generally requires being present on a daily basis, involves presentation of evidence of both the applicant and interveners, often through expert witnesses, and includes cross-examination. If you wish to participate, you must file with the commission a notice expressly setting out your intention to participate in the second part of the hearing, together with a statement of your position, on or before 22 March 1993, with a copy to the company. This will entitle you to receive a complete copy of the application. The deadline for the submission of interrogatories to the company, with a copy to the commission, is also 22 March 1993. Persons submitting interrogatories should carefully examine the initial set of commission interrogatories, and should avoid duplicating them.

It is not necessary to appear with legal counsel to either make a representation during the first part of the hearing, or to participate in the second part of the hearing.

Q. Who may I contact for further information?

A. For additional information on the application or the procedure to be followed, please contact Bell Canada, or the CRTC in Hull, Québec at (819) 997-1027 or in Montréal, Québec at (514) 283-6607. To find out the rights and obligations of parties to a proceeding, please read the CRTC Telecommunications Rules of Procedure. Copies are available at a cost from the Canada Communications Group Publishing, Ottawa, Ontario, K1A 0S9 (Catalogue SOR/79-554 amended by SOR/86-832). Phone (819) 956-4800.

REGION OF HAMILTON-WENTWORTH

- RECOMMENDATION -

DATE: 1992 December 23

REPORT TO: Chairman and Members
Health and Social Services Committee

FROM: Dr. Fran Scott
Medical Officer of Health

SUBJECT: **Ad Hoc Committee on Tobacco Control Policy (HEA-92-118).**

RECOMMENDATION:

a) *That the recommendations of the Ad Hoc Committee on Tobacco Control Policy as outlined in Appendix 1, attached herewith to report HEA-92-118, be approved.*

Fran Scott, MD, CCFP, FRCP, Msc,
Medical Officer of Health.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

At its regular meeting on March 10, 1992 Dr. Barbara Gowitzke, President of the Hamilton-Wentworth Council on Smoking and Health and Dr. Michael Goodyear, Chair of the Legislation Committee along with members of other various health organizations such as the Cancer Society, the Lung Association and Non-Smokers Rights, addressed the members of Health & Social Services Committee on Smoking and Health.

At that time, the following recommendation was put forward and approved by members of the Committee:

a) That a staff committee be established to review the recommendations of the Hamilton-Wentworth Council on Smoking and Health respecting Tobacco Control Policy in the Region of Hamilton-Wentworth.

b) That the committee include a member of the Hamilton-Wentworth Police Services and members of the Health and Social Services Committee.

c) That the recommendation of the City of Hamilton Finance and Administration Committee respecting a proposed bylaw to regulate the sale of tobacco to minors be referred to the committee for the appropriate consideration and action.

In order to comply with the recommendations of Committee, an Ad Hoc Committee on Smoking was established and the report from this Committee is attached herewith as Appendix I.

We are now bringing this report and attachment forward with the above recommendation.

Attachment.

DATE: 1992 December 17

REPORT TO: Chair and Members,
Health and Social Services Committee

FROM: Dr. Barbara Gowitzke, Chair
Ad Hoc Committee on Tobacco Control Policy

SUBJECT: **Report and Recommendations from the Ad Hoc Committee on Tobacco Control Policy**

RECOMMENDATIONS:

(a) That the Regional Municipality of Hamilton-Wentworth, through its Regional Department of Public Health Services, educate the general public about the hazards of tobacco use, including the very real hazards of environmental tobacco smoke (ETS) and the powerful addictive nature of nicotine.

(b) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to enact legislation to eliminate sponsorships and other advertising schemes of tobacco companies.

(c) That the Regional Municipality of Hamilton-Wentworth encourage each municipality within the Region, (i.e., the three municipalities which do not have a program already in place,) to adopt an incentive smoking cessation program for its employees.

(d) That the Regional Municipality of Hamilton-Wentworth request the Regional Police Services Board to update the knowledge of its police services regarding all federal, provincial, and municipal laws related to purchase and possession of tobacco, so that laws controlling purchase and possession of tobacco by minors may be enforced, and that prosecution under these statutes be strongly encouraged.

(e) That the Regional Municipality of Hamilton-Wentworth, encourage the Regional Police Services Board to assist with enforcing federal and provincial acts by providing referrals to the R.C.M.P. and O.P.P.

(f) That the Regional Municipality of Hamilton-Wentworth encourage its police services to assist By-Law Enforcement Officers in each municipality with enforcing municipal by-laws concerned with smoking in the workplace and in public places. That, if necessary, staff time in each municipality be re-allocated to focus on By-Law enforcement.

(g) That the Regional Municipality of Hamilton-Wentworth, through its Regional Department of Public Health Services, assist with enforcing municipal smoking and tobacco by-laws by providing referrals to By-Law Enforcement Officers in each municipality.

(h) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to enact new, or strengthen existing, legislation to prevent the sale of tobacco to minors.

(i) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to license tobacco vendors.

(j) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to enact new, or strengthen existing, legislation to reduce the hazards of environmental smoke in public places.

(k) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to enact new or strengthen existing legislation to eliminate the hazards of environmental smoke in the workplace. That, where necessary, enabling legislation be requested from the Province of Ontario.

(l) That, in support of the Mandatory Programs and Services Guidelines of the Department of Public Health Services, and in keeping with the Implementation Team Report of the Regional Chairman's Task Force on Sustainable Development, the Regional Municipality of Hamilton-Wentworth adopt a resolution of a smoke-free community by the year 2000.

(m) That the Regional Municipality of Hamilton-Wentworth appoint a member of the Health and Social Services Committee to represent the Region on the Hamilton-Wentworth Council on Smoking and Health.

(n) That the Regional Municipality of Hamilton-Wentworth direct the Tobacco Use Prevention Committee of the Department of Public Health Services to assume the responsibility of monitoring the progress of the tobacco control policy in the Region of Hamilton-Wentworth and make an annual report to the Health and Social Services Committee.

BACKGROUND:

On March 10, 1992, the Hamilton-Wentworth Council on Smoking and Health (HWCSH) made a presentation on Tobacco Control Policy in the Region of Hamilton-Wentworth to the Health and Social Services Committee (H&SSC). As a result of that presentation, it was decided to establish an Ad Hoc Committee on Tobacco Control Policy with the mandate to review the recommendations of HWCSH respecting Tobacco Control Policy in the Region of Hamilton-Wentworth. The Committee was to include a member of the Hamilton-Wentworth Police Services, a member of HWCSH, and a member of H&SSC. Dr. Fran Scott's office assumed the responsibility of forming the Committee.

The following members served on the Committee:

Councillor Geraldine Copps, H&SSC
Councillor Grant Shaw, H&SSC
Staff Inspector John Gruhl, replaced by Sergeant John Peatfield, H-W Police Services
Mr. Frank Shimoda, Director of Inspection Services, H-W Department of Public Health
Mr. Jim Ford, Chief Inspector, H-W Department of Public Health
Mrs. Dene Mawson, Support Staff who acted as Recorder, H-W Department of Public Health
Mr. David Beck, H-W Legal Services Department (non-sitting member, who acted as legal consultant)
Dr. Barbara Gowitzke, HWCSH, who acted as Chair.

The Committee met eight times and reviewed the recommendations of HWCSH. The Committee also became more knowledgeable about the hazards of tobacco and attempted to bring this area of concern into proper perspective relative to other health hazards in the community. Documentation of some of these concerns follows. In addition, during the course of their deliberations, the Committee developed an overall 'Action Plan' concerned with Tobacco Control Policy. The 'Plan', which was organized around the broad topics of prevention, cessation, protection, and implementation, identified specific areas of improvement and responsibility. From this 'action plan', 14 recommendations were formulated.

DOCUMENTATION REGARDING TOBACCO:

Tobacco and smoking:

Tobacco kills! 38,000 Canadians die annually from tobacco use (Collishaw and Leahy, 1991). Biostatistics and epidemiology have shown that this figure is destined to increase so that by 1995, it is estimated that 48,000 Canadians annually will lose their lives because of their use of tobacco (Statistics Canada, 1989).

Canada is not alone, as tobacco-related deaths have reached epidemic proportions in many regions of the world. Globally, tobacco is estimated to cause at least 3 million deaths a year, 2 million of which are in developed countries. Recent evidence has confirmed that the risks of smoking are much higher than previously thought, and at least a third, and probably as many as one-half of all smokers will eventually be killed by their habit. (World Health Organization, 1993).

According to the Chief Medical Officer of Health, tobacco use claims over 13,000 lives each year in Ontario alone (Schabas, 1991). In fact in Ontario, tobacco claims twice

as many lives as does alcohol, and five times as many lives as do all other causes of death, including suicide, motor vehicle traffic accidents, falls, AIDS, drugs, poisoning, drowning, homicide, and fire (Statistics Canada, 1989; Schabas, 1991). In the Region of Hamilton-Wentworth, about 25% of the residents, over the age of 15, smoke daily. In the age category of 15 to 44 years of age, 30% of all H-W residents smoke, while only 7% of the over 65-year olds smoke (Health Priorities Analysis Unit, 1990). It should be abundantly clear why the Chief Medical Officer of Health has indicated that "tobacco-related diseases are this province's number one public health problem. The cost in human lives, quality of life and health care dollars is colossal." (Schabas, 1991)

Tobacco is the only legal consumer product which kills when used exactly as intended. There is no safe level of tobacco consumption. Tobacco use results in 30% of all cancer deaths (including 85% of all lung cancer deaths), 30% of all heart disease deaths, and 90% of all chronic lung disease deaths (Goodyear, 1990).

Recent studies have provided evidence of other risks, particularly to women and include the steep rise in the incidence of lung cancer (almost as high as breast cancer), the increased incidence of infection of fallopian tubes, known as pelvic-inflammatory disease, and the likelihood of infertility among smoking women (Hamilton Spectator, 1992).

Involuntary exposure to tobacco smoke:

Until 1986, when the U.S. Surgeon General's Report declared that "involuntary smoking is a cause of disease, including lung cancer, in healthy non-smokers", most non-smokers considered smoking as simply 'unpleasant'. We now know that "environmental tobacco smoke (ETS) is the largest source of indoor air pollution and is also the major combustion source contributing to total human exposure to mutagens and carcinogens." (Environmental Protection Agency, U.S.A., 1989).

Heart disease is now the major cause of death from ETS. The American Heart Association has released a position paper which highlights research demonstrating that the effects of ETS on the circulatory system are essentially the same as those seen in active smokers (Taylor, et al, 1992).

The U.S. Environmental Protection Agency has targeted ETS as a major cause of childhood illness. Two major areas of illness were targeted. The report stated that 3,000 deaths from lung cancer occurred annually in non-smokers due to ETS. The second area of concern dealt with the impact of ETS on children. The report showed conclusive evidence that ETS causes increased respiratory symptoms in children, and an increased incidence of lower respiratory tract infections such as pneumonia, bronchitis, and bronchiolitis (Environmental Protection Agency, U.S.A., 1992).

The Harvard School of Public Health has conducted a study which links environmental tobacco smoke with cancer. Regarded by many as the most concrete evidence to date of the link between ETS and cancer, it is the first study to use autopsy lung tissue samples of non-smokers (Hamilton Spectator, 1992).

Canadian researchers have also studied ETS and have shown some frightening data. For example, side-stream smoke (ETS) contains higher concentrations of several chemicals than the smoke inhaled by the smoker (Wigle, et al, 1987). 85% of smoke in a room results from side-stream smoke (Price, 1989).

As the World Health Organization stated, "smoking is a choice and not a right, and freedom means being allowed to do what does not harm others. Creating smoke-free public areas is not an infringement of civic rights, but a responsible health policy" (World Health Organization, 1991).

Smoking and children:

Virtually all new users of tobacco products are minors (Ontario Council on Smoking and Health, et al, 1991). The tobacco industry recruits its new clientele before children have a chance to understand the consequences of their actions. A scientist at the Addiction Research Foundation of Ontario has indicated that if tobacco companies are going to continue to have a large number of people to whom they can sell their cigarettes, they must recruit new ones, because the old ones die (The Hamilton Spectator, 1992). In fact, studies show that more than one-fifth of Canadians aged 15 to 19 are regular smokers. The few cigarettes that are smoked at age 12 are eventually increased to the point that the teenager or young adult develops an addition to nicotine, which extends into their lifetime.

Many people misunderstand the serious health problems associated with tobacco because of the delay time between the actual use of cigarettes and death. "At current death rates, for every 100,000 smokers now age 15, the following deaths will occur before they reach age 70: car accidents - 1200, suicide - 900, murder - 130, AIDS - 70, drug abuse - 10. However, diseases caused by tobacco will kill about 18,000 of these children before they reach age 70!" (National Clearinghouse on Tobacco and Health, 1990).

Practically all current smokers started smoking before the age of twenty, and by that age, 30-40% are regular smokers. Children apparently ignore health education regarding the hazards of tobacco. Apparently, for them, the need for immediate acceptance is more important than some abstract concept of future illness (Goodyear, 1991).

Education, Legislation, and Enforcement - Effect on Youth Access:

Two studies have provided strong evidence that the passage and enforcement of properly designed tobacco access control measures and merchant education campaigns are

effective in reducing sales of tobacco products to minors and youth consumption of tobacco (Journal of the American Medical Association, 1991).

In one study, the purchase and consumption of tobacco by minors was actually reduced by monitoring retail sales to minors and examining adolescent smoking rates before and after implementation of new legislation. The legislation mandated vendor licensing, active compliance checking by police, and penalties for both merchants who made sale violations, and minors for possession of cigarettes. Only a year and a half after introducing the new legislation, the proportion of children who had experimented with smoking decreased by half, and the number of children who were regular smokers decreased by two-thirds.

The other study used an extensive educational campaign and then combined education efforts with law enforcement on illegal tobacco sales to minors. It is important to note that when the education campaign was mounted, there was a general increased awareness of the problem of youth access to tobacco, but a negligible effect on merchant compliance with the law. Only when the education efforts were coupled with active enforcement did merchants comply with the laws. Based on their findings, the study recommended totally eliminating vending machines, and establishing a tobacco licensing system.

Quite recently, in Edmonton, police charged a retailer for selling cigarettes to children under the Tobacco Control Act. It is the first charge that has been laid in 45 years in Canada, but it suggests that people are getting serious about enforcement (The Hamilton Spectator, 1992). Also recently, the RCMP cracked down on the smuggling of cigarettes into Canada (The Hamilton Spectator, 1992). It would appear that increased enforcement initiatives will benefit Canadians similar to the benefits shown for the U.S.

Public Opinion Polls Re Tobacco Control Policy:

The health care community recently surveyed public attitudes to tobacco policy in Ontario. Interesting and impressive figures emerged. For example, 65% of the population were in favour of retaining high tobacco taxes; 70% were in favour of preventing sales of tobacco products to minors under 18; 24% want the age raised further but 81% would support a minimum age of 19; 75% supported banning vending machines, licensing vendors and requiring proof of age on purchase; 70% supported banning smoking in all public places; and 63% believed that tobacco should only be sold in plain (generic) packaging (Canadian Cancer Society, 1992).

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Charge laid over cigarette sale to kids; Sept. 30
Lung samples support non-smoker cancer link; Oct. 7
Smoking risk to fallopian tubes; Oct. 17
RCMP seize $350,000 in smuggled smokes; Oct. 29
Public education on lung cancer urged; Oct. 30
Infertility and nicotine linked: study; Nov. 14

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hwcsh92/h&sscrep

CITY OF HAMILTON

- INFORMATION -

11(a

DATE: 1993 January 28

REPORT TO: Committee of the Whole

FROM: Allan C. Ross
Treasurer

SUBJECT: **Penalty and Interest Rates Charged on Outstanding Taxes**

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Any decrease in the estimated 1993 revenues from penalty and interest results in a corresponding increase in the mill rate requirement.

BACKGROUND:

In September 1992, the Finance and Administration Committee recommended that the Treasurer's report on the current penalty and interest rate of 15% per annum charged on outstanding taxes be reviewed as part of the 1993 current budget deliberations.

The City has the option of charging penalty and interest under the following Legislation;

a) The Municipal Act which allows a maximum rate of 15% per annum or,

b) The Municipal Interest and Discount Rates Act which allows a rate of 1½% above the prime rate of the chartered bank that has the highest prime rate at the time the by law is passed by Council.

The current penalty and interest rate of 1¼% per month or 15% per annum is imposed under the provisions of the Municipal Act. It should be noted, however, that penalty and interest are calculated on a simple interest rather than the compound interest basis used by most financial institutions.

The penalty and interest rate charged on tax arrears has remained relatively stable over the years and has been established at a level higher than available debt financing in order to encourage taxpayers to give priority to meeting their financial obligations to the City.

Tabled to next mtg

BACKGROUND: - continued

The annual rates charged by the City of Hamilton over the past years are as follows;

January 1970 - December 1979	12%	- Municipal Act
January 1980 - October 1981	15%	- Amendment to Municipal Act
November 1981 - February 1982	22.5%	- Municipal Interest and Discount Rates Act
March 1982 - February 1983	18%	- Municipal Interest and Discount Rates Act
March 1983 - Present	15%	- Municipal Act

Over the period since 1983, prime interest rates have fluctuated significantly from a high of 14¾% to a low of 6¼%.

The following is a summary of the impact on the 1993 estimated penalty and interest revenues of $7,300,000 if a rate reduction is proposed under either Legislation. Any such reduction would have to be made up through increased requirements on the mill rate.

Municipal Act Rates

Current Rate	Alternative Rates	Percent Reduction	Estimated Revenue Loss	Percent Increase in Residential Mill Rate
15%	14%	6.7%	$ 489,100	.4 % +
	13%	13.3%	970,900	.9 % +
	12%	20.0%	1,460,000	1.3 % +
	11%	26.7%	1,949,100	1.8 % +
	10%	33.3%	2,430,900	2.2 % +
	9%	40.0%	2,920,000	2.6 % +

Municipal Interest and Discount Act Rates

If the City were to consider lowering the rate to prime plus 1½% under this Act the effective rate of penalty and interest on tax arrears would be adjusted to 8.25% (based on the current prime rate of 6.75%), a rate well below many personal loan rates. This would represent a reduction of 45% from the current rate of 15% per annum and on an entire year basis would result in a 1993 revenue loss of approximately $3.3M, which would result in an increase of 2.9% in the 1993 residential mill rate.

As part of our previous report, we surveyed other municipalities in Ontario and all surveyed were charging the rate of 15% per annum with the exception of the City of Toronto which is charging an annual rate of 13.1% per annum.

BACKGROUND: - continued

The annual rates charged by the City of Hamilton over the past years are as follows;

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As part of our previous report, we surveyed other municipalities in Ontario and all surveyed were charging the rate of 15% per annum with the exception of the City of Toronto which is charging an annual rate of 13.1% per annum.

BACKGROUND: - continued

Summary

In setting an appropriate penalty and interest rate, it is necessary to consider the effect of such rates upon City tax collection efforts and penalty and interest revenues, as well as the effect of such rates upon taxpayers attempting to meet their property tax obligations to the City. Present rates are set at a relatively high rate and are consistent with the rates charged by most other municipalities surveyed.

To consider lowering this rate to the prime rate plus 1½ % under the provision of the Municipal Discount and Interest Rates Act would mean that many tax payers would be able to obtain "financing" through tax arrears at a rate lower than the rate offered by financial institutions. This is not the intent of our tax arrears penalty rate, and would certainly not support efforts to collect outstanding arrears and keep property taxes current. Any lowering of penalty rates under the Municipal Act could also have a similar effect, depending on the extent of the rate reduction.

Allan L. Lowe

TWD/an

11(b)

CITY OF HAMILTON

- INFORMATION -

DATE: 1993 February 11

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: **Insurance Portfolio of the City of Hamilton, Local Boards and Companies and The Hamilton Entertainment Convention Facilities Incorporated**

BACKGROUND:

In January, 1992 the former Treasurer, Mr. E. C. Matthews, reported to you providing the details of the Insurance Portfolio which included policies, terms, limits of coverage, deductibles and annual premiums. He also suggested that this practice be continued at approximately this time each year in order that any comments or suggestions may be reviewed and/or researched and if feasible incorporated into the current budget and insurance programs for the following year.

However, any insurance matters of such magnitude as to be of a major concern will be reported to you directly as they occur, i. e.: a major loss.

Enclosed is a schedule which details the insurance portfolio as of November 30, 1992 and lists by type of insurance such information as the Insurer, Policy No., Term, Limit of Coverage, Deductible, Annual Premium and any Miscellaneous information which may be of assistance in explanation of the various policies.

I will be pleased to answer any questions which you may have or receive any comments or suggestions that you would like to put forth in regards to the portfolio.

You will recall in June, 1992, City Council approved the hiring of an insurance consultant to:

(i) Recommend areas for which the City should self-insure;

(ii) Recommend areas for which the City should purchase insurance on the market to include types of insurance, coverage, deductibles, etc,;

(iii) Recommend the method by which the City should obtain insurance coverage, i. e.: continue with Advisory Committee, public or selective tender, retain broker;

(iv) Study the Reserve for Uninsured Losses and recommend a level of funding for the Reserve in view of known claims where there is a possible liability and (i) and (ii) above;

(v) Assist in preparation and analysis of any Request for Proposals, if necessary, for the retention of a full service broker and/or for the purchase of insurance.

The firm of Armour Riley Inc. was retained for these purposes and is presently preparing a draft report. This draft will be reviewed with the intent of finalizing with the consultant and submission of a full report including recommendations to your Committee in the next month or two. This timing will involve extending present coverages beyond the March 31, 1993 timing proposed in the June 1992 report. This will take place under existing policies. A revised timing for insurance evaluation will be provided as part of the consultant's report.

In the meantime, the insurance portfolio has been maintained and will continue to be maintained in its present format until your Committee and City Council have approved recommendations for insurance matters based on the Armour Riley report.

Allan L. Ross

RDU/an
Encls.

City of Hamilton
Treasury

Details of Insurance Portfolio
as of November 30, 1992

File No. (1)	Type of Insurance (2)	Named Insured (3)	Insurer (4)	Policy No. (5)	Term (6)	Limit of Coverage (7)	Deductible (8)	Miscellaneous (9)	Annual Premium (10)
CASUALTY									
15	Accident – Accidental Death and Dismemberment Councillors and Department Heads	City	American Home	GTP 9018104	92/06/30 to 93/06/30	100,000	Nil		4,257.90
43	Crime – 3D	City, Hecfi, Cfhof, Housing	Chubb Insurance	8130 23 21	91/12/04 to 92/12/04				
	– Employee Theft					10,000,000	10,000	Money & Security)	
	– Premises Coverage					5,000,000	10,000	Other Property)	
	– Transit Coverage					5,000,000		)	
	– Depositors Forgery Coverage					5,000,000		)	19,410.00
65	Accident – Sport User Groups								
	– Death	City, User Groups	LLoyd's	A.S.I.M. 1079	92/07/01 to 93/07/01	10,000		)	
	– Permanent Loss/Dismemberment					20,000		)	
	– Blanket Accident Reimbursement					10,000		)	
	– Rehabilitation					3,000		)	
	– Tuition					2,000		)	
	– Special Treatment Travel					1,000		)	
	– Out of Province Medical Accident (inside Canada)					10,000		)	
	– Blanket Dental					1,000		)	
	– Fractures					300		)	
	– Aggregate Payable (one accident)					2,000,000		Deposit)	6,070.00

City of Hamilton
Treasury

Details of Insurance Portfolio
as of November 30, 1992

File No. (1)	Type of Insurance (2)	Named Insured (3)	Insurer (4)	Policy No. (5)	Term (6)	Limit of Coverage (7)	Deductible (8)	Miscellaneous (9)	Annual Premium (10)
LIABILITY									
63	Liability – City Primary	City	Royal	60254050/A	92/08/01 to 93/08/01	4,000,000	3,000,000	)	
	– Medical Expenses					1,000	Nil	)	
	– Tenants Legal Liability					2,100,000	250	)	
	– Standard Non–owned Automobile S.P.F. 6					4,000,000	N/A	)	14,268.00
64	Liability – Excess (Umbrella)	City, Hecfi	Royal	6080940/A	92/08/01 to 93/08/01	10,000,000	Nil	)	
	– Excess Automobile S.P.F. 7					10,000,000	"	)	115,620.00
63	Liability – Railway Crossings (Greenhill)	C.P. Rail, City	N/A	N/A	92/08/01 to 93/08/01	5,000,000	10,000	Agreement	500.00
61	Liability – Non–owned Aircraft	City, Hecfi	British Aviation	ONN 927967	92/08/01 to 93/08/01	2,000,000	Nil		519.00
65	Liability – Sport User Groups								
	– General Liability	City, User Groups	Simcoe Erie Group	70023255	92/07/01 to 93/07/01	2,000,000	Nil	)	
	– Tenants Legal Liability					100,000	"	)	
	– Medical Expense					1,000	"	)	
	– Bodily Injury/Property Damage/ Legal Expense Deductible						250	)	
	– Directors & Officers (Wrongful Acts/								

City of Hamilton
Treasury

Details of Insurance Portfolio
as of November 30, 1992

File No. (1)	Type of Insurance (2)	Named Insured (3)	Insurer (4)	Policy No. (5)	Term (6)	Limit of Coverage (7)	Deductible (8)	Miscellaneous (9)	Annual Premium (10)
LIABILITY – continued									
65	Liability – Sport User Groups (continued)								
	Errors & Omissions Liability					1,000,000	500	)	
	– Non–owned Automobile					2,000,000	Nil	Deposit)	18,209.00
LIABILITY – AUTOMOBILE									
21	Automobile – Fleet Excess Liability	City, Hecfi Cfhof	Royal	A9438747	92/08/01 to 93/08/01	4,000,000	100,000	BI & PD others)	
							250,000	PD to own)	
							Schedule	Accident Benefits)	
							"	Uninsured Auto)	132,961.00
21	Automobile – Executive	City,Hecfi Cfhof	Royal	B8057979	92/08/01 to 93/08/01	4,000,000	Nil	BI &PD Others)	
							Schedule	Accident Benefit)	
							"	Uninsured Auto)	12,858.00
21	Automobile – 1924 Ahrens Fox Pumper	City & Box 43 Association	Royal	12144240	92/08/01 to 93/08/01	4,000,000	Nil		506.00
80	Automobile – Parking Lots and Garages								
	– Third Party Liability	City/Park. Auth.	Royal	50017532	92/08/01 to 93/08/01	4,000,000	Nil		650.00
	– Accident Benefits					Schedule	"		286.00
	– Damage to Others Autos					100,000	25,000	Each occurrence	476.00
						44,000,000	25,000		1,456.00

City of Hamilton
Treasury

Details of Insurance Portfolio
as of November 30, 1992

File No. (1)	Type of Insurance (2)	Named Insured (3)	Insurer (4)	Policy No. (5)	Term (6)	Limit of Coverage (7)	Deductible (8)	Miscellaneous (9)	Annual Premium (10)
PROPERTY									
33	Boiler and Machinery – Main Schedule	City	Boiler Inspection	34032546–34	92/01/01 to 93/01/01	50,000,000	10,000	Mach/Equip	22,756.00
30	Property – Balfour Property (654 Garth St.) Commercial Building, Equipment and Stock Broad Form	City & Ont. Heritage Foundation	Zurich	8355745	92/01/01 to 93/01/01	438,733) 33,640)	250		1,654.00
18	Property – Astroturf – All Risk	City	Continental	IMK 808173	92/01/01 to 92/01/01	1,400,000	250		2,800.00
38	Property – Builders Risk Broad Form	City	Zurich	8355742	92/01/01 to 93/01/01	3,000,000	1,000	*Deposit Prem *	2,500.00
48	Property – Commercial Building, Equipment/Stock Broad Form	City, Hecfi, Cfhof McMaster U.,							
	– Main Schedule	Mohawk C.	Zurich	8355748	92/01/01 to 93/01/01	341,654,828	100,000	)	157,789.00
	– Equipment – Vehicles at Garages	Ont. Heritage				4,000,000	100,000	)	
	– Undamaged Portion of Building					250,000		)	
	– Demolition and Debris Removal					250,000		)	
	– Profits (Hecfi)					9,292,000	100,000		4,274.00
	– Extra Expense					100,000	Nil		1,000.00
	– Profits (Ticketmaster)					875,000	Nil		271.00
	– Sign Floater					1,685,000	100,000		1,558.00
	– Valuable Papers					5,371,300	100,000		4,297.00

City of Hamilton
Treasury

Details of Insurance Portfolio
as of November 30, 1992

File No. (1)	Type of Insurance (2)	Named Insured (3)	Insurer (4)	Policy No. (5)	Term (6)	Limit of Coverage (7)	Deductible (8)	Miscellaneous (9)	Annual Premium (10)
PROPERTY – continued									
48	Property – Main Schedule (continued)								
	– Electronic Data Processing – Equipment					4,845,200	100,000		17,446.00
	– " – Transit					150,000	500		0.00
	– Fine Arts Floater					4,014,483	500		14,050.00
	– Miscellaneous FLoater								
	– Books in Bookmobiles					33,000			
	– Satellite Dish (Hecfi)					100,000			
							500	)	1,181.00
50	Property – Commercial Building,								
	Equipment/Stock Broad Form	City/Hamilton							
	– Building	–Scourge	Royal	60254058/A	92/08/01 to 93/08/01	147,473	250	)	
	– Contents					117,978	250	)	
	– Miscellaneous					118,628	250	)	
	– Commercial General Liability					2,000,000	250	)	
	– Medical Expenses					1,000	Nil	)	
	– Tenants Legal Liability					100,000	250	)	
	– Multimedia Liability							)	4,386.00

City of Hamilton
Treasury

Details of Insurance Portfolio
as of November 30, 1992

File No. (1)	Type of Insurance (2)	Named Insured (3)	Insurer (4)	Policy No. (5)	Term (6)	Limit of Coverage (7)	Deductible (8)	Miscellaneous (9)	Annual Premium (10)
PROPERTY – continued									
85	Property – Pedestrian Bridge Commercial Building, Equipment and Stock Broad Form								
	– Property Damage	City/Region /	Zurich	8355746	92/01/01 to 93/01/01	1,500,000	1,000		2,684.00
	– General Liability	GGS Hotel				3,000,000	500	)	
	– Personal Injury					3,000,000	"	)	
	– Medical Expense					10,000	"	)	
	– Tenants Legal Liability					25,000	"	)	500.00
93	Property – Commercial Building, Equipment and Stock Broad Form – 179 Stirton Street	City	Zurich	8355744	92/01/01 to 93/01/01	125,000	250		312.00
40	Property – Commercial Building/ Equipment/Stock Broad Form								
	– Contents	City/Cfhof	Zurich	8355743	92/01/01 to 93/01/01	462,234	250		1,248.00
	– 158 Statues					1,011,299	250	)	
	– Steel Statue					100,039	"	)	
	– Grey Cup					53,000	"	)	3,359.00
	– Sign Floater					13,000	"		227.00
	– Glass					Blanket	Nil		350.00
	– General Liability					3,000,000	250		348.00

City of Hamilton
Treasury

Details of Insurance Portfolio
as of November 30, 1992

File No. (1)	Type of Insurance (2)	Named Insured (3)	Insurer (4)	Policy No. (5)	Term (6)	Limit of Coverage (7)	Deductible (8)	Miscellaneous (9)	Annual Premium (10)
HAMILTON ENTERTAINMENT CONVENTION FACILITIES INC. (Hecfi)									
63	Liability – H. E. C. F. I. Primary	Hecfi	Royal	60266810/A	92/08/01 to 93/08/01	4,000,000	3,000,000		)
	– Medical Expenses					1,000	1,000		)
	– Tenants Legal Liability					100,000	250		)
	– Standard Non–owned Automobile S.P.F. 6					4,000,000	N/A		) 6,704.00
62	Liability – Executive Liability and Indemnification	Hecfi	"	8130–23–26A	91/12/07 to 92/12/07	3,000,000	1,000	Each Person	)
							5,000	All persons	)
							10,000	Organization	) 19,410.00
	Boiler and Machinery – Convention Centre	Hecfi	Boiler Inspection Insurance	34040191	92/01/01 to 93/01/01	50,000,000	10,000	Mach/Equip	)
						3,276,000	Nil	Gross Profit	)
						200,000	10,000	Extra Expense	) 1,007.00
	Boiler and Machinery – Copps Coliseum	Hecfi	Boiler Inspection and Insurance	34042165	92/01/01 to 93/01/01	50,000,000	10,000	Mach/Equip	)
						3,681,000	Nil	Gross Profit	)
						200,000	10,000	Extra Expense	) 6,726.00

City of Hamilton
Treasury

Details of Insurance Portfolio
as of November 30, 1992

File No. (1)	Type of Insurance (2)	Named Insured (3)	Insurer (4)	Policy No. (5)	Term (6)	Limit of Coverage (7)	Deductible (8)	Miscellaneous (9)	Annual Premium (10)
HAMILTON ENTERTAINMENT CONVENTION FACILITIES INC. – continued									
	Boiler and Machinery – Hamilton Place	Hecfi	Boiler Inspection and Insurance	34041711	92/01/01 to 93/01/01	50,000,000	10,000	Mach/Equip)	
						2,335,000	Nil	Gross Profit)	
MUNICIPAL NON–PROFIT (HAMILTON) HOUSING CORPORATION (MNP(H)HC)						200,000	10,000	Extra Expense)	2,789.00
75	Liability – Association Liability	City/MNPHHC	Chubb Insurance	8130–24–53	92/08/26 to 93/08/26	5,000,000	5,000		7,900.00
75	Property – Commercial Building/ Equipment/Stock Broad Form								
	– Building	City/MNPHHC	Zurich	8355747	92/01/01 to 93/01/01	30,814,550	250		26,377.00
	– Undamaged Building					900,000	Nil		
	– Demolition/Debris					900,000	"		
	– Increased Construction					90,000	"		
	– Gross Rentals					4,586,830	"		3,006.00
	– Auditors fees					45,000	"		
	– Sign Floater					Blanket	250		880.00
	– Glass					"	Nil		880.00
	– Boiler/Machinery					"	"		4,625.00
	– General Liability					3,000,000	250		5,224.00

City of Hamilton
Treasury

Details of Insurance Portfolio
as of November 30, 1992

File No. (1)	Type of Insurance (2)	Named Insured (3)	Insurer (4)	Policy No. (5)	Term (6)	Limit of Coverage (7)	Deductible (8)	Miscellaneous (9)	Annual Premium (10)
HAMILTON PUBLIC LIBRARY									
62	Liability – Executive Liability and Indemnification	Library	Chubb Insurance	8130-23-76A	92/07/15 to 93/07/15	3,000,000	1,000 2,500 5,000	Each person) All persons) Organization)	5,759.00
48	Property – Commercial Building/ Equipment/ Stock Broad Form – Building – Contents	City/Library Ankam	Zurich	8355782	92/01/01 to 93/01/01	2,300,000 600,000	50,000	)	2,030.00
	TOTAL ANNUAL PREMIUMS FOR THE PORTFOLIO								666,353.90

92/12/04
rdu

11(c.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 11

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Allan C. Ross
Treasurer

SUBJECT: Proposed 1992 year end surplus distribution

RECOMMENDATION:

(a) That the distribution of the 1992 current budget surplus be as follows:

(i)	carry forward surplus to 1993 (as per established Council policy to eliminate this item - only one year remains)	$250,000
(ii)	Reserve for Snow Control and Storm Damage (to assist in restoring this reserve to an adequate amount) - CH 00112	500,000
(iii)	Balance of surplus to Reserve for Tax Stabilization for future use - CH 00135	

NOTE: Due to the surplus position in the City's Current Budget in 1992, it was not necessary to transfer some reserve allocations to current revenue.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

see above recommendations

BACKGROUND:

Although the books are not yet finally closed for 1992 and adjustments are still being made, it is with some certainty that I can report an overall surplus of approximately $1 million, which compared with the overall budget of $164 million is only 6/10 of one percent.

cont. page 2.....

BACKGROUND - cont.

This has been accomplished even while absorbing several major expenditures which normally would have had to be funded from reserves, for example:

- an overdraft of $912,000 in Winter Control accounts thereby saving the balance of $222,000 left in the Reserve for Snow Control and Storm Damage account. It is being recommended that $500,000 of the expected surplus be transferred to this reserve, bringing the total to $722,000, to assist in restoring this reserve toward it's recommended balance of $1.1 million. Maintaining a reasonable amount in this reserve is particularly important given the spending restraint in all corporate areas. If not for positive results in other areas during 1992, a $900,000 current budget deficit might have occurred.

- an amount of approximately $600,000 representing the costs of top up payments to former employees, and consultants' fees, as a result of the implementation of the "rightsizing" program and the Long Term Continuous Improvement program in 1991. Balances within the "Annualization" and "Tax Stabilization" reserves are therefore available to fund these costs in 1993 and beyond.

- approximately $130,000 absorbed within Information Systems accounts, for work done on the Tax Project including the recently installed monthly instalment payment plan for taxpayers.

All of the above actions contribute to the City's overall financial stability and/or reduce 1993 funding requirements and can be accomplished from available 1992 Current Budget funds.

An amount of $250,000 is being transferred to the "carry forward surplus" line in the current budget for 1993, which is the last year of a program to reduce the carry forward surplus to zero.

It is recommended that any surplus balance remaining after the transfers as described above, be distributed to the Reserve for Tax Stabilization for future use. This reserve was created in 1991 for use in reducing the impact of mill rate fluctuations from year to year.

12.

CITY OF HAMILTON

- RECOMMENDATION -

FEB 11 1993

DATE: 1993 February 11

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: **Temporary Site for Concession Street Library**

RECOMMENDATION:

a) That the Hamilton Public Library be authorized to enter into a Lease Agreement with A. D. Beattie in accordance with the following terms.

Property:	776 Concession Street	
Area:	2,500 square feet	
Term:	i)	One (1) year commencing March 15, 1993 and terminating March 14, 1994
	ii)	Month to Month for 1994
Rental Rate:	i)	$11.00 per square foot (Net) $27,500 annually, $2,241.66 per month
	ii)	$12.00 per square foot (Net) $30,000 annually, $2,500 per month
Operating Costs:	Library to pay for operating costs plus realty taxes for the leased area.	

b) That the Hamilton Public Library be authorized to execute a Lease Agreement in a form satisfactory to the City Solicitor.

D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

This department was requested by the Library to locate a temporary site to house the Concession Street Library for a period of 12-15 months while construction of the new library is completed.

The above recommendation to lease 776 Concession Street provides for all the Library's needs while construction of the new library is completed. The rental rate is very fair keeping in mind the short term and the fact that this location is a retail store which normally rents at a higher rate.

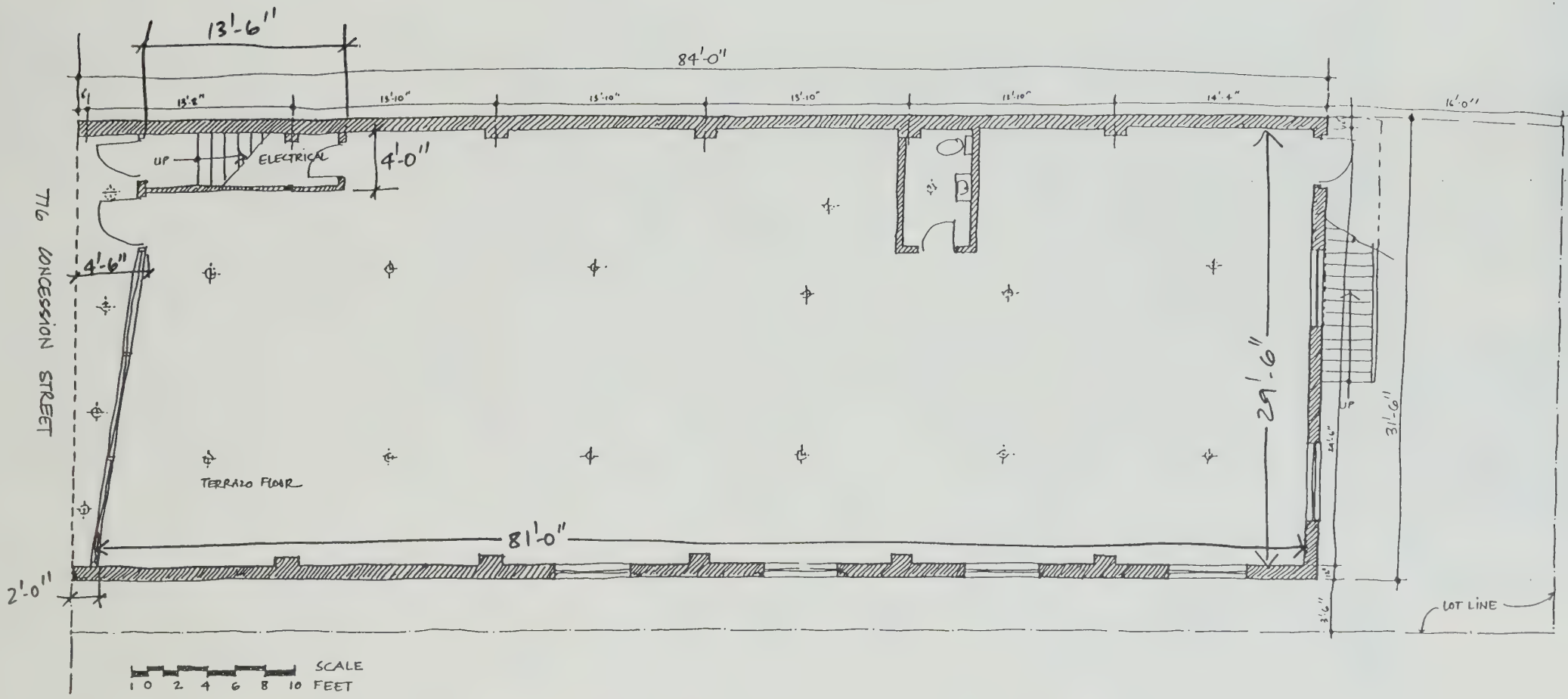
RJH/klb

c.c. Mr. Joe Pavelka, Chief Administrative Officer,

P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

J. McAnanama, Chief Executive Officer, Hamilton Public Library



TO: BILL GUISE

FROM: M. SHAH

plan of 776 Concession street

URBAN/MUNICIPAL
CA4 ON HBL A05
CS1F31
1993

Urban/Municipal Librarian
Public Library
2nd Floor

URBAN MUNIC
MAR 1993
GOVERNMENT DOCUMENTS

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1993 March 4th
9:15 o'clock a.m.
Room 233, City Hall

Susan K. Reeder

Susan K. Reeder
Secretary

Please note the earlier start time to meet as the Court of Revision. It is essential that all members are present to constitute a legal session.

AGENDA

9:15 O'CLOCK A.M.

1. **RECONVENED COURT OF REVISION**

9:30 O'CLOCK A.M.

2. **SCHOOL TRANSPORTATION**

   (a) Information Report - City Clerk - Transportation Services.

   (b) Report - City of Hamilton Licencing Committee.

   (c) Report - Taxi Advisory Committee.

DELEGATIONS

(d) Ray Harris, Solicitor for Verma Transport.

(e) Mike Anderer/George Hutchinson, Taxi Advisory Committee.

(f) Craig Cutten, Sales, Manager, Blue Line Taxi.

(g) Sandra Fukumoto.

(h) Buck Sloate, Caledonia Transportation/Alan Norton, Laidlaw Transit Ltd.,/Michael Brown, Solicitor for both.

(i) Mr. P. J. Daly, Chairperson/Mr. T. Gallagher, Trustee/Mr. J. Wintar, Administrator, Transportation and Assessment; The Hamilton-Wentworth Roman Catholic Separate School Board.

(j) Margaret Cunningham, Chairman/Marion Lowe, Trustee and Chairman of the Transportation Committee; The Board of Education for the City of Hamilton.

(k) Peter Eldridge, Hamilton Taxi Industry and a Representative of Veterans Taxi.

3. **CONSENT AGENDA**

4. **DIRECTOR OF INFORMATION SYSTEMS**

Bell Canada Rate Increase.

5. **CHIEF ADMINISTRATIVE OFFICER**

(a) Merging Fleet Services Functions.

(b) Information - Windermere Basin Rehabilitation Project Status Update. (previously tabled)

6. **JOINT INFORMATION REPORT - CHIEF ADMINISTRATIVE OFFICER, DIRECTOR OF PROPERTY AND TREASURER**

$225,000. Loan to Theatre Terra Nova/Theatre Focus - Mortgaged Property - 177 Sherman Avenue North.

7. **MAYOR MORROW**

Purchase of Advertising in the Kinsmen Magazine.

8. **RESOLUTIONS**

(a) City of Peterborough - Amendments to the Criminal Code for the Indefinite Imprisonment of any Person deemed to be an Habitual Violent Sexual Offender and Sexual Predator.

(b) City of Vaughan - Establishment of a Commission to consider Changes required to reform the Education System in Ontario and recommended Subjects for inclusion in the Terms of Reference.

11:30 O'CLOCK A.M.

9. **IN CAMERA AGENDA**

10. **OTHER BUSINESS**

11. **ADJOURNMENT**

OUTSTANDING ITEMS

FINANCE AND ADMINISTRATION COMMITTEE

ITEM	DATE REQUESTED	ACTION BY	REPORT DUE BY
1. (a) Policy to exempt Parking Authority from realty and business tax.	1990 February 23 & 1990 March 22	Treasurer	
(b) Examine feasibility of directing the net revenue from parking fines into the Reserve Account.	1990 March 22	Treasurer	
2. Rationale of Development Charges on 84 Birmingham Street.	1992 April 9	Building	
3. Proposed policy on display of plaques, posters, memorabilia, etc.	1992 April 23	Property	1993 March meeting
4. Additional Proposed Development Charges Amendments.	1992 April 23	Building	1993 March 25 meeting
5. Commonwealth Plaza Lighting.	1992 June 25	Property	
6. Report on procedures to be used in regulating the sale of merchandise by charitable and non-profit groups.	1992 December 3	City Clerk	1993 March 25 meeting

OUTSTANDING ITEMS

FINANCE AND ADMINISTRATION COMMITTEE

	ITEM	DATE REQUESTED	ACTION BY	REPORT DUE BY
7.	Report on overview of all types of licences issued and fees for Committees consideration of rationale.	1992 December 3	City Clerk	1993 June 24 meeting
8.	For the 1993 February meeting, a discussion paper will be presented by the Licence Division on a revised Taxicab By-law.	1992 December 3	City Clerk	going first to Taxi Advisory Committee
9.	Explanation of use of the terminology "terminated" and "resigned" in Appointment Listings.	1993 January 7	Commissioner of Human Resources	
10.	City Hall Grounds Study - being reviewed by interest groups for input.	1993 January 21	Arts Co-Ordinator	1993 March 25 meeting
11.	Report - Partnership Agreements at the Hamilton Farmers' Market.	1993 January 21	City Solicitor	1993 March 25 meeting
12.	Report - City's continuing role in Non-Profit Housing.	1993 January 21	Chief Administrative Officer	
13.	Review of request by Junior Achievement to utilize vacant space at the Kenilworth Avenue Police Station.	1993 February 18	Chief Administrative Office	
14.	Report - Ad Hoc Committee on Tobacco Control Policy forwarded from Regional Council.	1993 February 18	City Clerk, Solicitor	

1993 March 1

RECONVENED SESSION

COURT OF REVISION

THURSDAY, 1993 MARCH 4TH

9:15 O'CLOCK A.M.

ROOM 233, CITY HALL

AGENDA

Prior to the sitting of the Reconvened Court of Revision:

1. Presentation - City Clerk - Jurisdiction and Authority of the Court of Revision.

   Note: Prior to the Courts deliberations on each Local Improvement Assessment Project, Mr. Reg Meiers of the Public Works Department, will outline the method and procedure used for undertaking the work as a local improvement, i.e. on petition or on the initiative of City Council. Mr. Meiers will also give a brief explanation of the specific Local Improvement Projects under Appeal and a recommendation for resolve of the complaint. Staff from the Treasury Department will also be in attendance.

   All Departmental files, drawings and By-laws associated with the Local Improvement Projects will be available at the sitting of the Court of Revision for immediate reference purposes.

PROJECT	PROPERTY OWNER & ADDRESS	NATURE OF COMPLAINT	COMMENTS
For the Information of the Court:			**Decision made by the 1993 February 4 Court:**
(a) Carling Street (South side) from Macklin Street to 98 m easterly - construction of a combined walk.	John Giroux on behalf of owner Effort Trust 644 Main Street West	Shown as sidewalk only (86./metre) rated at combined walk and curb ($137./metre)	Court agreed with Mr. Giroux since notice was ambiguous. Court agreed to reduce assessed rate to $86./metre from $137./metre.
(b) Upper Ottawa Street from Stone Church Road to Rymal Road - construction of a concrete walk.	Ms. D. L. Gordon 4 - 1521 Upper Ottawa	Requested reduction to zero since work was approved and constructed prior to her purchasing the property.	Her solicitor at the time of purchase should have advised her of any local improvement charges (actual or contemplated). Court confirmed the assessment and requested the Secretary to advise Ms. Gordon accordingly.
(c) Centennial Parkway North (west side) from Delawana Drive to Barton Street - construction of a concrete walk.	Mr. Denny Leger 207 Centennial Parkway N.	Owner questioned amount of $2,586.36 being added to taxes for next 15 years.	The Court clarified this was a one-time charge which could be paid outright or added to taxes and payments spread over 15 years. The owner was satisfied and the Court confirmed the assessment.
(d) Upper Paradise Road from Lunner Avenue to Stone Church Road - construction of a concrete walk.	Mr. A. Anastasiou 861 Upper Paradise Road	Questioned why interest rate did not appear on the notice.	Staff advised the interest rate is not normally established until debentures are issued but it is approximately 10%. The Court directed Treasury staff to show the interest rate in future and no further action was required by the Court on this complaint.

COMPLAINTS FOR COURT DECISION

PROJECT	PROPERTY OWNER & ADDRESS	NATURE OF COMPLAINT	COMMENTS
Upper Paradise Road from Lunner Avenue to Stone Church Road - construction of a concrete walk.	1) Ms. Lurlie Hammond 13 - 63 Fonthill Road 2) Ms. Lilly Richmond 12 - 63 Fonthill Road	Appealing assessment on the basis that they derive no benefit now or in the future from the work.	The Court reserved their decision at its 1993 February 4 Sitting and requested staff to provide more information. Accordingly, the City's Local Improvement By-law 10605 indicates that where a lot has two limits that abut on works (in this case Fonthill and Upper Paradise Road frontages) a reduction shall be made in the special assessment on a fair and equitable basis. The By-law does not stipulate the amount of reduction. However, we recommend the reduction should be equal to the flankage exemption for corner lots which is 75% of the flankage to a maximum of 23m. It should be pointed out that the Region grants a total exemption in similar situations. Staff is not recommending a total exemption since the owners may use the walk and hence derive benefit. Attached for the Court's reference is the cost distribution that would result if the Court adjusts the assessment in any of the above noted examples.

PROJECT	PROPERTY OWNER & ADDRESS	NATURE OF COMPLAINT	COMMENTS
Upper Paradise Road from Lunner Avenue to Stone Church Road - construction of a concrete walk.	3) J. J. Boers 716 Upper Paradise Road	Requested relief from assessment as he contends the construction devalued his property.	Staff recommends that Mr. Boers should request an appeal on his assessment through the Assessment Appeal Review Board.
	4) Mrs. A. Gourlay 10 - 95 Fonthill Road	This complaint was received after the Court date. Appeal based on her opinion that she will not benefit from work.	see 1) and 2) above
	5) Mrs. McGowan 30 - 800 Upper Paradise Road	This complaint was received after the Court date. Not near project and opposed to payment.	see 1) and 2) above

LOCAL IMPROVEMENT – SIDEWALKS
UPPER PARADISE FROM LUNNER TO STONE CHURCH ROAD WEST (BOTH SIDES)
$84.00 PER METER FRONTAGE

1) NO CHANGE IN RATING

DISTRIBUTION OF COSTS PRIOR TO ANY ADJUSTMENT

CITY SHARE	RATEPAYERS SHARE	TOTAL COST
$36,842.85	$86,325.12	$123,167.97

PROPERTIES WITH REVERSE FRONTAGE:

SERIAL AND ADDRESS	OWNER	COST
08 10610 6725 772 UPPER PARADISE	MUNICIPAL NON–PROFIT HOUSING CORPORATION	$2,304.12
08 10630 2380/2460 800 UPPER PARADISE	41 UNITS @ $86.17	$3,533.04
08 10720 4101/4264 63/95 FONTHILL RD	39 UNITS @ $108.32	$4,224.36
TOTAL LOCAL CHARGE FOR PROPERTIES WITH REVERSE FRONTAGE		$10,061.52

2) APPLYING FLANKAGE EXEMPTION

DISTRIBUTION OF COSTS WITH APPLICATION OF 75 FOOT FLANKAGE ADJUSTMENT

CITY SHARE	RATEPAYERS SHARE	TOTAL COST
$42,603.57	$80,564.40	$123,167.97

PROPERTIES WITH REVERSE FRONTAGE:

SERIAL AND ADDRESS	OWNER	COST
08 10610 6725 772 UPPER PARADISE	MUNICIPAL NON–PROFIT HOUSING CORPORATION	$383.88
08 10630 2380/2460 800 UPPER PARADISE	41 UNITS @ $39.34	$1,612.80
08 10720 4101/4264 63/95 FONTHILL RD	39 UNITS @ $59.08	$2,304.12
TOTAL LOCAL CHARGE FOR PROPERTIES WITH REVERSE FRONTAGE		$4,300.80

3) APPLYING TOTAL EXEMPTION

DISTRIBUTION OF COSTS WITH APPLICATION OF TOTAL EXEMPTION

CITY SHARE	RATEPAYERS SHARE	TOTAL COST
$46,904.37	$76,263.60	$123,167.97

PROPERTIES WITH REVERSE FRONTAGE:

SERIAL AND ADDRESS	OWNER	COST
08 10610 6725 772 UPPER PARADISE	MUNICIPAL NON-PROFIT HOUSING CORPORATION	$0.00
08 10630 2380/2460 800 UPPER PARADISE	41 UNITS @ $0.00	$0.00
08 10720 4101/4264 63/95 FONTHILL RD	39 UNITS @ $0.00	$0.00
TOTAL LOCAL CHARGE FOR PROPERTIES WITH REVERSE FRONTAGE		$0.00

2 (a.)

CITY OF HAMILTON

- INFORMATION -

DATE: 1993 February 26

REPORT TO: Mrs. S. Reeder
Secretary, Finance and Administration Committee

FROM: Mr. J. Schatz
City Clerk

SUBJECT: **Transportation Services**

For the information of the members of the Finance and Administration Committee, the following points were raised at the Licensing Committee meeting held February 10, 1993 with respect to the importance of public interest.

- the City cannot prohibit a transportation business or any other businesses from operating.
- the only question is whether or not the municipality can license them and how they should be regulated.
- regulation should be used only to protect the public interest and not to protect anyone from competition.
- regulation of vehicles already provincially licensed would be a duplication of services.
- there are many valuable transportation services in the community which would be affected if all vehicles were to be regulated under the Taxicab By-law such as services for the disabled, hospital and nursery school transportation and transportation of children and adults with special needs.
- any by-law regulation must be in the interest of all the inhabitants and not in the interest of a particular individual or group.
- the By-law must affect all citizens equally and must not discriminate in its treatment of individuals or classes of individuals.
- all persons have the right to be transported in a dignified manner of their choice in a fully integrated transportation system.
- anyone, particularly the Boards of Education wishing to contract for these services, should be free to employ the carrier of their choice.
- the Boards of Education and others should satisfy themselves that the most appropriate, efficient, cost effective and safest vehicles are used to transport persons.

- the Licence Division did not discover or hear any complaints about any vehicle, whether provincially licensed or not, that appeared to be unsafe or was not suitable for the purpose for which it was intended.
- if the public interest demands it, then further regulation of any vehicle could be considered in the future.
- the only issue to consider is the ability to accommodate the public's needs as they relate to transportation generally.
- the Boards of Education have hundreds of students who have specialized transportation requirements.
- these are students who are disabled, have special needs, or are able-bodied and, if the Boards choose, all should be provided with integrated transportation.
- integration of all students is important to the Boards of Education.
- the Taxi Industry reported that it does not have vehicles to accommodate both ambulatory and non-ambulatory persons on an integrated basis.
- the Boards of Education should be free to assess the quality of service on their own and to enter into contractual arrangements with those businesses that meet their criteria.
- fostering a free enterprise transportation system rather than restricting such a system will allow the Boards of Education to take advantage of competitive prices and conditions for the most efficient transportation service.

BACKGROUND:

Members of the Committee are aware that on February 10, 1993 the Licensing Committee as recommended by City Council heard submissions from various transportation companies which operate small vehicles and provide specialized transportation. These companies explained why they should be excluded from regulation under the Taxicab By-law.

During the Licensing Committee hearing on February 10, 1993, arguments were put forward by members of the Taxi Industry that this issue was identical to the Class "C" Livery Vehicle issue, which was resolved when City Council, eliminating this class of vehicle effective June 30, 1992. The Taxi Industry opposed Class "C" Livery Vehicles then and now oppose the exemption of these vehicles from the by-law because they believe that <u>all</u> transportation within the City limits in small vehicles is the exclusive right of the Taxi Industry.

In order to better understand the Taxi Industry's argument, a brief explantation of the Class "C" Livery Issue, its similarities and differences to Public Vehicle licences, must be given.

Similarities

Class "C" Livery Vehicles were vehicles for hire for the transportation of school children <u>only</u>. They could <u>not</u> legally be used at any time to transport other persons or for other services. Complaints regarding these vehicles were first received in 1986. Complaints were about these

vehicles being used for school trips and which were taking away business from the Taxi Industry. There were also complaints that these same vehicles were running illegal taxi fares on the side. Similar complaints continued unabated through 1991 and the Licence Division identified that some livery vehicles were, in addition to the school business, engaging in other traditional taxi business.

Both the former Class "C" Livery Vehicle and now Public Vehicles can employ small vehicles. The smaller the size of vehicle, the more likely it can compete with a taxi-cab.

Public Vehicles are also vehicles for hire (always by a pre-arranged contract and not demand service which is the Taxi Industry's method of operating) for the transportation of school children and adults, but are licensed provincially rather than municipally. All major municipalities contacted i.e. Mississauga, London, Ottawa, Windsor, Toronto permit Public Vehicles (regardless of size) to operate within the municipality for pre-arranged school purpose contracts. Public Vehicles cannot do any other business other than that which is specified on the operating licence. Local bus companies such as Laidlaw, Attridge and Caledonia Transportation utilize public vehicles and contract directly with the Boards of Education.

The Boards of Education contract with the three Taxi Brokerages, namely Blueline, Veterans and Yellow, but did not specify whether taxis or livery vehicles could be used. (Now only taxis can be used as the Class "C" Livery is gone). The Boards did not care whether they were taxis or livery vehicles so long as the municipality licensed and regulated the vehicles.

Both Taxi Brokerages and the School Bus Companies were free to increase or decrease the number of public vehicles or taxis/livery vehicles to be used in fulfilling the Boards' contracts which fluctuates from year to year.

The former Class "C" livery vehicles and the public vehicles provided a dedicated transportation service to fulfil the Boards of Education contracts. Taxicabs also fulfilled their contractual obligations to the Boards but are not exclusively dedicated to this service.
Once the school trip is completed the taxicab resumes the role of a regular taxi which is dispatched trips through a Taxi Broker.

Differences

Generally speaking, it was not the Taxi Broker, but rather the individual taxi owners and drivers who were seeking to have the Class "C" Livery Vehicles eliminated from the Taxi Cabs and Livery Vehicles By-law.

At least one of the Taxi Brokers was in favour of the continuation of Class "C" Livery Vehicles or a limited number of them.

Taxi Brokers and not taxi owners or drivers controlled the number of Class "C" Livery Vehicles. The Boards of Education control the number of public vehicles and taxicabs which it requires to fulfil its transportation needs.

The entire Taxi Industry now wants Public Vehicles with a capacity of up to nine passengers eliminated from operating within the City.

The Boards of Education strongly supports the right to continue to be free to choose the type of vehicle and carrier for the transportation of students.

Class "C" Livery Vehicles provided a generally superior service to that which was offered by the taxicabs, who were both employed to fulfil the same contract. The main reason why livery vehicles provided a better service was due to the fact that the livery vehicles were used exclusively for the school contracts and could provide the dedicated service without also having to worry about other taxi business.

The Boards of Education have expressed strong concern that their ability to provide sufficient numbers of vehicles for the transportation of their students would be severely affected should public vehicles not be excluded from the Taxicab By-law. The Boards of Education never complained about the discontinuance of Class "C" Livery Vehicles as their elimination did not affect school transportation services as the contract with the Taxi Brokers did not specify Taxicabs or Livery Vehicles and there was always an oversupply of taxis, as there is now.

It is the Ministry of Education policies on which students require/do not require transportation which is having an effect on the numbers of students being transported by the Board of Education from year to year. Any increase or decrease on the numbers of taxis or public vehicles is effected the most by Ministry guidelines and not one carrier generally providing a better service than another.

General Information

It was the Taxi Brokers themselves that controlled and were a part of the problems associated with liveries. The facts were that the three Taxi Brokers were awarded and controlled the school contracts. It was the broker who decided whether or not to award school trips to taxicabs or to their liveries. In this way, the broker was in competition with its own taxicabs and was serving both interests at the same time.

Taxi drivers and owners complained that Taxi Brokers were putting on too many liveries when they should have been allocating the school trips to taxicabs. On the other side, Taxi Brokers were getting complaints from the School Boards about poor service by some taxi drivers and, in some cases, drivers refused to transport school children preferring the cash business. As a result, Taxi Brokers were having difficulty fulfilling their contracts and were required to put on more and more livery vehicles.

When the issue of Class "C" Livery Vehicles was being decided, the Boards of Education were asked whether or not there would be any interruption in the transportation of school children with the elimination of these vehicles. They gave assurance that there would be no problem as there were a sufficient number of taxicabs to take this business.

Currently 190 of the city's 325 taxi-cabs or 58% have school trips through the Board of Education contract with the three taxi brokerages.

Appendix A, which is attached, formed a part of the report that was presented to the Finance and Administration Committee in April of 1991. This resulted in the recommendation to eliminate Class "C" Livery Vehicles. This Appendix has been included to provide further background information to the Committee.

The Licence Division concludes that there is serious and continuing abuse of the By-law, which is detrimental to the Taxi Industry. These breaches of the By-law have involved a significant segment of the Taxi Industry, including the three brokerages. The Taxi Industry has been severely affected by the poor economy and, therefore, the frequency of blatant abuse may have been reduced. The misuse of Class "C" Livery Vehicles will no doubt increase substantially when the economy rebounds and there is an increased demand for taxicabs.

These livery vehicles continue to contravene the By-law whenever and wherever possible with the knowledge that there is little chance of enforcement personnel apprehending them. It is a fact that no charges have been laid against livery vehicles to date. This is a result of outdated information, or the reluctance of complainants to become witnesses for obvious reasons. There are, however, two charges now in process. If it were possible to continue to give special attention to this one area, there would, no doubt, be more charges laid. Unfortunately, this is impossible with only six Inspectors, a full-time taxi inspection office to maintain and many other enforcement problems to handle.

The documentation substantiates that a significant problem has been created by this class of livery vehicle operating in the Taxi Industry. This violation of the By-law poses a major threat to this industry and has resulted in a loss of traditional taxicab business.

The industry has just recovered from the controversy surrounding the issuance of Taxi Owner licences from the Priority List. Confidence has been restored in both the process of issuing licences and in the Licensing Committee. The fact remains that too many taxicabs are fighting for survival in a poor economy. As you are aware, the number of taxicabs in Hamilton has grown by 32% in the last few years and this increase, combined with the use of 45 livery vehicles, appears to be too much for the Taxi Industry to bear.

As stated earlier, there are two sides to this issue. With respect to the transportation of school children, the Taxi Industry cannot afford to lose this business. One Hundred and Thirty-six (136) taxicabs, or 42% of the entire Taxi Industry, now rely on this steady income. The Licence Division has received information that many drivers and owners refuse school trips when they are offered or cancel their school trips without sufficient notice to the Taxi Broker, leaving him in a difficult position. Should a recommendation be approved to eliminate livery vehicles, guarantees must be put into place by taxicab owners and drivers that they will make up the loss of livery vehicles from the industry.

It is suggested that Taxi Brokers provide a fair and open system of selection of all school trips. These trips must provide a financial return which will make it worth-while for the Taxi Owner. The Licence Division suggests that owners and drivers must also be compensated for lost time in order to ensure prompt pick-up and delivery of all children. Consistent service is essential and is a Board of Education requirement.

The Licence Division has concerns that some taxi owners and drivers may withdraw their services to the School Boards when the economy recovers. "Cash" trips are preferred by many drivers and owners rather than school trips where charges must be reported. Owners and drivers have admitted this candidly on a number of occasions. Also, there is a concern that if livery vehicles are eliminated, there is the possibility that some taxicabs will cancel their school trips when the opportunity arises for a cash trip to Toronto Airport etc.

Owners and drivers who take school trips place Taxi Brokers in difficult situations when they call in sick or cancel for other reasons. Some form of program must be put in place to assist the Taxi Broker. One suggestion would be for each cab owner/driver to have a back-up driver system. A further suggestion would be that taxi drivers be permitted only two "sick" occasions; otherwise, it would be within the rights of the Taxi Broker to cancel this individual's school trip and reassign it to someone who is prepared to provide the necessary service.

Various Submissions and Petitions from the Taxi Industry have been appended (Appendices 1-6) at the end of this report.

An extraordinary amount of time has been spent reviewing this issue and the problem will never be resolved until a permanent answer is found.

Any long term solution to the problems of livery vehicles, must also include long-term guarantees for the protection of the school transportation business. The Taxi Industry cannot afford to lose this business and it will be placed in a vulnerable position as there are one or two major transportation companies who could easily fulfil this need. Any reduction in the quality of this service could prompt the Boards of Education to cancel their contracts.

In 1986, City Council directed that more attention be focused on the Taxi Industry. What resulted, was the formation of the Taxi Task Force/Taxi Advisory Committee. It was therefore necessary to increase the level of the Licence Division's Administrative and Enforcement Support Services to achieve City Council's goals. The Licence Division's support now exceeds 50% of it's entire operation. Similarly, the Licence Committee spends 80% or more of its time with Taxi Industry matters. All of this has been necessary to achieve a better quality of service to the public and establish a healthier industry.

The Licence Division and members of the Taxi Industry, particularly single taxi owners and drivers, believe that, unless liveries are removed from the Taxi Industry, this industry will be adversely affected.

Acceptable and permanent solutions to the problem, which will have as minimal an impact as possible, must be found.

It is true that some part-time men and women will be laid off should Class "C" Livery Vehicles be eliminated. This will affect approximately 15-20 persons. This, unfortunately, may be part of the price that must be paid to resolve the issue. On the other hand, should the Livery Vehicles not be eliminated, hundreds of persons, directly and indirectly, will be severely affected. It should be noted that there will be an opportunity for some of these livery drivers to become taxicab drivers.

At the Public Meeting, members of the Committee and Council were made aware of the special needs of students who are transported in Wheelchair Accessible Vehicles. It is hereby recommended that special provision be made for this service.

As previously stated, it is mandatory that there be a commitment from the Taxi Industry to assume the business which was formally handled by the 45 livery vehicles. No by-law amendment can take effect until such time as there is a guarantee that the necessary taxicabs would be available for school trips.

Some members of the Taxi Industry may suggest that the increased demand of taxicabs for school transportation may result in service concerns for the regular users of taxicabs. If there is an increase in the demand for taxicabs, this may be a signal for the Taxi Advisory Committee to review the need for the issuance of additional Taxi Owner licences.

If the above recommendations are not approved and if the Taxi Industry does not come forward in sufficient numbers to offset the loss of the livery vehicles, there would be no alternative but to recommend that a small percentage of Class "C" livery vehicles be permitted to exist in the system. This recommendation would have to be dealt with prior to the date on which any proposed by-law would take effect.

2 (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 19

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Stella M. Glover, Secretary
City of Hamilton Licensing Committee

SUBJECT: **Private Transportation Services**

RECOMMENDATION:

(a) That, in accordance with Recommendation 14 (a)(v)(2) of the Twenty-fourth Report of the Finance and Administration Committee, adopted by City Council on December 8, 1992, all transportation companies involved in the transportation of students for either of the Boards of Education and which hold Public Vehicle Licences be exempted from regulation under the Taxicab By-law.

(b) That companies involved in the transportation of nursery school children, disabled children and adults and persons with special needs as determined by a hospital also be exempted from regulation under the Taxicab By-law.

(c) That staff be directed to immediately contact the Ministry of Transportation of Ontario to ensure that any Public Vehicle Licences presently being operated in the transport of any of the classes of contract referred to above be assessed immediately to ensure that they comply with the terms and conditions under which they were issued.

Stella Glover

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

With the adoption of the Recommendation 14(a)(v)(2) of the Twenty-fourth Report of the Finance and Administration Committee, City Council at its meeting of 1992 December 08, agreed to amend the Taxicab By-law by, in essence, requiring that any vehicle transporting persons in the City of Hamilton with seating capacity for 9 passengers or less, be licensed as a City of Hamilton Taxicab, unless exempted pursuant to this section.

At its meeting of 1993 February 10 the City of Hamilton Licensing Committee was in receipt of a report from the Manager of the Licence Division dated 1993 February 09 with regard to Private Transportation Services. For the information of members of the Finance and Administration Committee, this report is attached hereto as Appendix "A".

Written and/or verbal submissions were received from members of the Transportation Industry as follows, requesting an exemption from regulation and in favour of the recommendation of the report:

> Verma Transportation, Laidlaw Transit Ltd., Caledonia Transportation, Attridge Transportation Inc., and Didictom.

Representatives from the Hamilton Board of Education and the Hamilton-Wentworth Roman Catholic Separate School Boards made written and verbal submissions that the decision be left to the School Boards to make the best judgement regarding transportation for students either in a taxi or a van, and that the exemptions be granted in order that the present situation remain unchanged.

Written and/or verbal submissions were also received from the following members of the Taxi Industry who spoke against the recommendation and advised of its negative impact on the Taxi Industry. They requested that the City take action to enforce its By-laws to prevent operators from transporting school children within the boundaries of the City of Hamilton without a City of Hamilton taxi licence:

> Bob Esselment - Veterans Taxi; Craig Cutten - Blue Line Taxi; George Hutchinson - Taxi Advisory Committee; Bob Bourke - Hamilton Taxi Industry and Khalil Zourob.

After deliberating at length, the Chairperson advised that the Licensing Committee had taken into account the following factors before arriving at their decision in this matter:

- The spirit in which City Council had made their decision to phase out Class C Livery plates, by first and foremost ensuring that the conveyance of school children as determined by the Boards of Education not be adversely affected.

- To protect the public interest and ensure safety rather than to create a monopoly in the transportation industry.

- The operation of vehicles licensed as Public Vehicles by the Province is an issue for the Province and is outside the jurisdiction of the Licensing Committee.

For the further information of members of the Finance and Administration Committee a full transcript of this item from the Licensing Committee meeting of 1993 February 10 is in the possession of the Secretary together with the written submissions.

cc: Alderman T. Cooke, Chairperson, Licensing Committee
Alderman D. Drury, Chairperson, Taxi Advisory Committee
S. Dembe, Licence Division Manager
File

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 9

REPORT TO: Mrs. S. Glover
Secretary, Licensing Committee

FROM: Mr. S. J. Dembe
Manager, Licence Division

SUBJECT: Private Transportation Services

RECOMMENDATION:

(a) that, in accordance with Recommendation 14 (a)(v)(2) of the Twenty-fourth Report of the Finance and Administration Committee, adopted by City Council on December 8, 1992, all transportation companies involved in the transportation of students for the Hamilton Board of Education and the Hamilton-Wentworth Roman Catholic Separate School Board be exempted from regulation under the Taxicab By-law and

(b) that companies involved in the transportation of nursery school children, disabled children and adults and persons with special needs as determined by a hospital also be exempted from regulation under the Taxicab By-law.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On December 8, 1992, City Council directed that persons operating vehicles with a legal capacity of up to 9 persons, excluding the driver, and who provide special transportation services be requested to attend the Licensing Committee to explain why they should be excluded from regulation under the Taxicab By-law.

It was decided that the Licensing Committee, because of its experience in dealing with licensing issues, would be an appropriate body to hear submissions on this subject and to make recommendations thereon.

The purpose of this report is to clearly establish that the public interest is the only issue to be considered when dealing with the subject of transportation services within the City of Hamilton. Following this, individual submissions and recommendations will be made on each of these transportation services.

Depending on the decisions made this evening, the public could be affected either positively or negatively. The issue is how to accommodate the public's needs as they relate to transportation generally and, in particular, to accommodate and encourage disabled and special needs transportation.

An explanation of the types of services being offered in the community and the types of vehicles being employed to carry out these services is necessary. The authority under which these vehicles and services are being provided will also be detailed.

It should be noted that contact was made with the Provincial Licensing Authority. This was necessary because most of the vehicles for hire being operated in the City of Hamilton and which are the subject of this meeting have been issued provincial licences. It was noted that all provincially licensed vehicles had been given approval to operate their transportation services on an interurban basis only. The Province does not issue vehicle licences for transportation within an urban area as the licensing of vehicles for local transportation is within the jurisdiction of each municipality.

During the investigation of these provincially licensed vehicles and a number of others which it was determined were not regulated at all, a number of different transportation services were identified both for ambulatory and non-ambulatory persons. In addition, there were special services being provided for a small group of individuals who were either disabled or had special needs.

All of the above transportation services supply the general public. Interruption of the services or onerous City regulation could affect a variety of community and beneficial services. For this reason other opportunities including self-regulation must be looked into. For example, private contracts could allow a nursery school to require the necessary regulations to maintain safety over the vehicles which they employ. Provincial licences already provide for extensive regulation and any further involvement by the City would be duplication.

The City cannot prohibit businesses from operating. The only question is whether or not the municipality can license them and how they should be regulated. Regulation should be used only to protect the public interest and not to protect any one from competition.

It should be emphasized that any type of municipal regulation should be used to protect the public interest and not used as a means to create a monopoly for a special business. There are many valuable services in the community which would be affected if all vehicles were to be regulated under the Taxicab By-law. These are services for the disabled, hospital and nursery school transportation, and children with special needs.

Business operating solely in Hamilton, using vehicles up to 9 capacity and who do not receive an exemption to the Taxicab By-law, will be required to operate in full compliance with the regulation. As a result, it may be advisable to allow contracts to be completed before the by-laws are changed. Should other vehicles be exempted, then any safety or other regulatory issues can be addressed by the companies which contract for these services. Further regulation of these vehicles can be considered in the future, if public interest demands it.

When considering exclusions to the proposed amendments to the Taxicab and Livery By-law, the following considerations must be addressed:

1. The relationship of the By-law to the public interest is of the utmost importance. Any by-law regulation must be in the interest of all the inhabitants and not in the interest of a particular individual or group.

2. Public interest is a factual issue. Public interest can only be determined after the Licensing Committee is informed of all the facts and issues pertaining to the various transportation services. Those involved in this issue should have the opportunity to express their concerns. Included in this group are School Boards taxi drivers, taxi owners, parents of school children and the private carriers.

3. The By-law must affect all citizens equally and must not discriminate in its treatment of individuals or classes of individuals. It is the opinion of the Licence Division that all persons have the right to be transported in a dignified manner of their choice in a full integrated transportation system. Transportation services should reflect the needs of the community it serves.

   Everyone, particularly the Boards of Education, wishing to contract for these services should be free to employ the carrier of their choice. The Boards of Education and others should satisfy themselves that the most appropriate, efficient, cost effective and the safest vehicles are used.

The Taxi Industry has been severely affected by the current poor economy. Many of the larger companies and traditional users of taxicabs have reduced their reliance on taxicabs. Some taxi drivers report having to work 14 or 16 hours a day to earn sufficient income and often this works out to below minimum wage. Many members of the Taxi Industry are

saying that Hamilton has too many taxicabs; since 1987 the City has issued 75 new Taxicab Owners' licences without benefit of any analysis of the need for them. Although there is no established ratio of population to number of taxicabs, comparing the ratio used by the City of Mississauga, which is one taxicab to 1,400 population, it could be suggested that the City of Hamilton has an excess of 75 - 100 taxicabs as the local ratio is approximatelv one taxicab to 978 population. The Mississauga comparison was one that was suggested by a representative of Hamilton's largest Taxi Brokerage.

For many years, the major school bus companies could not provide economical transportation services when the Boards of Education required individual children to be picked up at various locations. The Taxi Industry was able to respond to these specific requests and have done so for many years. It is obvious that with more than half of the taxicabs already being used to transport school children, the Taxi Industry has come to rely heavily on the continuation of these contracts.

The Boards of Education now contract approximately 190 or 58% of the 325 City of Hamilton taxicabs. The Taxi Industry has said they feel threatened that the school bus companies are treading into their traditional business as these companies employ smaller vehicles. While the Taxi Industry has cause for concern, they have shown in the past that they can be as competitive as the other transportation companies. The Boards of Education have decided that it is necessary and practical to continue utilizing vehicles provided by the Taxi Industry and hopefully this will continue.

There are thousands of Hamiltonians who either make their living or are dependent upon persons working in the Taxi Industry. With an aim to allowing the Taxi Industry to be more competitive on all fronts, City Council on December 8, 1992 was advised that a discussion paper will be presented by the Licence Division on a revised Taxicab By-law to improve service to the public, reduce costs to the Taxi Industry and simplify the By-law respecting enforcement and compliance. The report is expected in March. The City will work in partnership with the Taxi Industry to ensure its continued viability as a major mode of transportation for the community.

In our opinion, however, there is no reason at this time why the City should license and regulate carriers who for the most part are already Provincially licensed and regulated. The few that are not Provincially licensed can be self-regulated through private contracts. It should be noted that in its investigation, the Licence Division did not discover nor did it hear of any complaints about any vehicle, whether provincially licensed or not, that appeared to be unsafe or was not suitable for the purpose for which it was intended. Any additional involvement by the City would be viewed as unnecessary duplication. If the public interest demands it, then further regulation of any vehicle could be considered in the future.

The issues here have nothing to do with unfair competition with the Taxi Industry, but the ability to accommodate the public's needs as they relate to transportation generally. School

Bus Companies have met the specialized requirements of the Boards of Education by utilizing vehicles in which disabled students, those with special needs and the able bodied can be provided integrated transportation. Integration of all students regardless of need is important to both Boards of Education and the City. Many of the vehicles that are the subject of this report are being used on a integrated basis. For the most part, the Taxi Industry has not put into use such specialized vehicles. However, it is free to consider this as an option in order to become more competitive with other carriers. The Taxi Industry has raised concerns about unfair competition by companies which use small vehicles. These smaller vehicles with a passenger capacity of up to 9 persons can compete with the Taxi Industry in School Transportation. The Taxi Industry can be as competitive as it chooses because the Licence By-law does not require them to use meter rates when involved in School Transportation.

In conclusion, it would appear that any further by-law regulation at this time would be unnecessary and contrary to the public interest. Companies which provide transportation services to the Boards of Education and to a number of other identified businesses can be satisfactorily self-regulated without need of any City involvement.

2(c.)

CITY OF HAMILTON

- RECOMMENDATION -

FEB 23 1993

DATE: 1993 February 19

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Stella Glover, Secretary
Taxi Advisory Committee

SUBJECT: **School Transportation**

RECOMMENDATION:

(a) That the necessary steps be taken to immediately enforce the provisions of the Taxicab and Livery By-laws of the City of Hamilton in order that any carriers of school children within the boundaries of the City of Hamilton who fail to comply therewith be immediately charged with such offenses as defined in Schedules 4 and 4A of Licensing By-law 79-323, as amended.

Stella Glover

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

At its meeting of 1993 February 04 the Finance and Administration Committee was in receipt of a request from the Taxi Advisory Committee that enforcement of the Taxicab and Livery By-laws be carried out to charge carriers of school children within the boundaries of the City of Hamilton who do not hold City of Hamilton licences.

The Committee was advised that some companies were transporting children for the Boards of Education using vehicles which had Public Vehicle licences but were not licensed by the City of Hamilton. It was also noted that a Public Vehicle licence was only effective for vehicles operating between municipalities and that vehicles operating solely within the City must be licensed by the City.

2 ...

At that time the Finance and Administration Committee agreed to take no action on the Taxi Advisory Committee's recommendation, as it was recognized that this issue was to be heard at a meeting of the Licensing Committee on 1993 February 10.

The Taxi Advisory Committee again discussed this matter at its meeting held 1993 February 16. Extreme concern was expressed at the direction taken by the Licensing Committee at its 1993 February 10 meeting when it agreed to recommend to the Finance and Administration Committee the exemption from the Taxicab By-law of transportation companies transporting students for either of the Boards of Education, or transporting nursery school children, disabled children and adults and persons with special needs, as determined by a hospital.

It was the understanding of the Taxi Advisory Committee that charges may be laid against unlicensed carriers until such time as a change is made to the By-law. Therefore, based on this information, the Taxi Advisory Committee made the foregoing recommendation and is again asking members of the Finance and Administration Committee to uphold the By-laws of the City of Hamilton.

cc: Alderman D. Drury, Chairperson, Taxi Advisory Committee
Alderman T. Cooke, Chairperson, Licensing Committee
S. Dembe
File

2(k.)

THIS letter is not going to be a plea for mercy to the taxi industry!!! This letter will not reduce those 2,000 people in the taxi business to there knees, begging to RETAIN what is rightfully theirs in the first place. These proud, hard working people will not do that, nor, do I have the right to do it for them!!!

However, I do have the right to inform you people, about what will probably happen to those 2,000 people hence, the taxi industry itself, as you have come to know it.

I will also attempt to describe to you, the reasons why you should not exempt these public vehicle operators from the taxi by-laws.

CONSEQUENCES TO THE HAMILTON TAXI INDUSTRY:

If these plates are exempted from the by-laws, they will be allowed, considering they have a contract, to transport Hamilton school children. it's true, that presently, only one small company, VERMA transport, has so far, to the best of my knowledge, been the only one to apply for and receive contracts from the school boards, and use these plates to do so.

It's also true that this company presently operates only about 4 to 8 of these small vehicles, SO FAR!

However, if you exempt these licenses from the by-laws, what you are actually doing, is opening the flood gates to any individual, who wants to try their luck, in the school transportation business.

Now, Mr. Verma's lawyer has defended this exemption by pointing out that, by not exempting them, you have placed unfair restrictions and limitations on the free-enterprise system!!!

I agree with this man ----- however, something vitally important must be pointed out regarding this restriction and limitation. There are very good, sound and logical reasons for this. Not only financial reasons, but non-financial ones as well.

FINANCIAL:

These contracts with the school boards have become, over the past twenty years, the very backbone, and meat and potatoes, of the Hamilton taxi industry!!! I can say, that without these contracts, the taxi industry WILL NOT SURVIVE, AS YOU KNOW IT TODAY!!!

They have, (contracts) become absolutly essential to us, in order that we not only survive, but continue to give the excellent level of service to the Hamilton puplic, as well as the school children.

You see, if we are deprived of these contracts, most certainly a negative ripple effect will occur, causing a general, deterioration of all aspects of our industry. Of this certainty, we the taxi people, have absolutly no doubts whatsoever!!!

Considering this, is it really worth while to lift these restrictions on free enterprise, open the floodgates, and in the process, cripple our industry which employs somewhere around two thousand people ????

What then will happen to all of these people? Surely, they will end up on your welfare rolls and in our soup lineups!!! This is NOT good economics for the sake of " FREE ENTERPRISE." !!!

So, considering the crippling ripple effect that this exemption would most definitely have on approximately 2,000 people, I feel it very safe to say that the financial reasons, in favour of NOT exempting these plates, are very, very strong!!!

LEGAL:

VERMA TRANSPORT, has been operating ILLEGALLY for about one year now !! To aquire and operate this type of license, one of the rules are, that the carrier begins the trip from outside of the city limits, and end the trip within city limits. Also, the reverse must be applied. Start the trip from inside the city limits and finish it outside the city limits.

Mr. Verma has NOT been complying with this very important rule. It has been common knowledge for some time now, both to City Licensing, the TAXI ADVISORY sub-committee, and most people in the taxi industry.

In fact, members of the taxi advisory committee, have urged, on many occasions, to have Mr. Verma charged, under the taxi by-laws. ALL TO NO AVAIL!!!

There is indeed a very important, clear and consise reason, why these plates should, and must, be restricted to the " INSIDE TO OUTSIDE RULE " as stated in the by-law.

This rule is in place so these plates " WILL NOT INFRINGE, IN ANY WAY, ON THE TAXI SERVICE AND INDUSTRY IN THAT PARTICULAR LOCALE "

Winning school board contracts within the CITY of HAMILTON, can surely be defined as " INFRINGING " on the local taxi industry !!!

And so, you see yet another reason why they should NOT be exempted

There is yet another clear reason why these plates should not be exempted. Perhaps not clearly, a legal reason, and yet a reason which deals with the way that City Licensing, and now you, must consider.

A person breaks the law, on a constant and daily basis. A City of Hamilton by-law or a Ministry of Transportation law, it dosen't matter. The particular city is aware of this, and does nothing about it? They allow this man to continue to break the law, until they can change the law to suit him, and his enterprise, under the guise of " FREE ENTERPRISE "

What do you think this example is saying to the rest of us ??? What do you think this will do to those who are " RESTRICTED and UNFAIRLY CONFINED " in the beer and liquor distribution field, for example ?

Or, for example, how about the person who chooses to operate a " PIRATE TAXI " ?? He also feels " RESTRICTED and UNFAIRLY CONFINED " by the by-laws!!!

AND YET, THE CITY WOULD HAVE BOTH OF THESE PEOPLE CHARGED A.S.A.P.

Why then, in this particular case, (VERMA TRANSPORT) were not only NO charges laid, but certain people, here, at CITY HALL, are making what appears to be a very strong effort to change the by-laws to accomodate this man ???

Could it be a matter of economics ? Save the school boards money ? WHO KNOWS ??

MORAL:

To be quite blunt and honest, you, the CITY of HAMILTON, OWE the Hamilton taxi industry the protection of these contracts.

You have all but destroyed the industry with the issuance of the last 25 taxi plates. You did not listen to us then, regarding the dire consequences of that issuance and you also did not listen at the last meeting of the F&A; when a very small handful of people asked for the last meter increase.

A very powerful Alderman on this committee listened to arguments which were strongly in favour of NO meter increase and stated, with the wave of his arms " I MUST ADMIT I KNOW NOTHING OF THE TAXI BUSINESS, BUT , EVERYBODY ELSE IS GETTING AN INCREASE!" " SO I'M RECOMENDING A 10 % INCREASE ! "

With this ill informed, almost uncaring attitude and a wave of the arms, the city drove yet another large nail into the coffin of the Hamilton taxi industry.

And now you want to " GIVE AWAY " the only business which has kept the taxi industry on it's last leg!!!

YOU the CITY of HAMILTON OWE us this DENIAL OF EXEMPTION!!

RULES and REGULATIONS:

There are very few if any, industries in this city, which are regulated, ruled and in general, controlled by the city, as is the taxi industry! Each and every taxi in this city, including the ones that transport school children, are under constant and close scrutiny by the city's licensing people. Believe me, these people are tough on us. If our cars, service drivers show the slightest sign of non-conformity, they are all over us like a wet blanket !! And they don't let up the problem is solved.

Thank god for licensing and this attitude as well as the excellent job they have done both now and in the past!

Without these watchful eyes, close scrutiny and rules and regulations on the taxi industry, we would surely decline in our service and vehicle aspects. Also, our caliber of driver would decline, if it was not for the diligence of City Licensing! In short I feel self policing would not work, in the taxi industry.

And yet, operators and owners of these Public Vehicle (P.V.) plates and vehicles, are taking away school contracts.

They are not presently, and surely will not, if they are exempted, be ruled, governed, controlled, regulated or scrutinized by anybody, other than themselves.

THEY WILL BE "SELF - POLICED"

Are you willing to put Hamilton school children into vehicles which are driven by people whose only requirement is a regular drivers license? Do these drivers undergo an examination by anyone other than their employer?

Are their vehicles going to be examined, inside and out on a regular basis by the city? Will they, the vehicles and the drivers be checked for saftey or anything else??? NO. THEY ARE "SELF POLICED"

Are you still willing to hand over your school children to them,away from the taxi industry???

In summation, I ask you to consider all of these points before you make your decision on these plates.

It is vitally important that you are fully informed, for once, on the facts that affect the lives of so many people in the Hamilton taxi industry!!!

Yours Sincerely

Peter C Eldridge

PETER C. ELDRIDGE
H.T.I.
VET'S. REP.
525-9576
525-0600

FINANCE AND ADMINISTRATION COMMITTEE

THURSDAY, 1993 MARCH 4TH

3.

CONSENT AGENDA

A. **ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

Minutes of the regular meeting held Thursday, 1993 February 18th and minutes of the Special meeting held Tuesday, 1993 February 23rd. (copies to follow)

B. **MANAGER OF PURCHASING**

(i) Renewal of Security Services Contract for City Hall.

(ii) Replacement of one 35,000 GVW Chassis with Tar Distributor, Unit 9699, Fleet Services.

C. **TREASURER**

(i) Funding - City's Share of Servicing - "Wisemount Estates - Phase 2".

(ii) Information - Distinguished Budget Presentation Award - the City of Hamilton for 1992.

D. **CITY CLERK**

(i) Use of City Hall Forecourt - Candlelight Vigil - Women's Centre - Women in Bosnia Herzegovine.

(ii) Flying a Flag - Easter Seal Campaign.

(iii) Use of Council Chambers - Mayor's Race Relations Committee.

(iv) Use of the City Hall Forecourt - Vintage Auto Sprints at Christie.

E. **DIRECTOR OF PROPERTY**

Strip of Surplus Land - 8.5' x 77' adjacent to the Church of the Good Shepherd, 480-890 Melvin Avenue.

F. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items.

G. **TAXI ADVISORY COMMITTEE**

Membership Appointment.

B (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 25

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: Renewal of Security Services Contract for City Hall

RECOMMENDATION:
That the City exercise its option to extend to March 31, 1994 the purchase order issued to Burns International Security Services Limited, Hamilton, to provide security services for City Hall, originally approved by Council January 28, 1992.

T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND:
Hourly rate $8.96, all charges included. Estimated expenditure $79,000.

B(ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 25

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: Replacement of One 35,000 GVW Chassis with Tar Distributor, Unit 9699, Fleet Services

RECOMMENDATION:
That a purchase order be issued to Amaco Construction Equipment Inc., Mississauga, in the amount of $89,458.85 including all applicable taxes and trade-in, for the replacement of One 35,000 GVW Chassis with Tar Distributor, Unit 9699, for Fleet Services being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101.

T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND: Tender Analysis

Amaco Construction Equipment Inc., Mississauga	$ 89,458.85
Eastgate Ford, Hamilton	110,888.75
Sheehan's Truck Centre, Stoney Creek	104,345.25

This tender was advertised and eight suppliers requested to bid. Two declined and three did not respond.

C (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 24

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: **City's Share of "Wisemount Estates - Phase 2" - Financing**

RECOMMENDATION:

That the City's share of "Wisemount Estates - Phase 2" Servicing, at a cost of $132,006.40, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

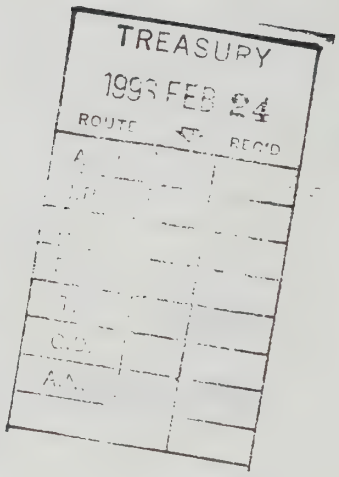
The net amount to be financed for all 1993 projects related to subdivision expenditures, including this recommendation, is $132,006.40. The 1993 Capital Budget includes a provision of $1,200,000 for the City's share of subdivision expenditures in 1993.

BACKGROUND:

The Transport and Environment Committee will be considering this report at their meeting of 1993, March 1. The details of the project cost is outlined in the letter of Mr. E.M. Gill, Senior Director, Roads Department, dated 1993, February 19.

NRA:jc
Attach

c.c. Mr. E. M. Gill, Senior Director
K. Christenson, Secretary, Transport and Environment Committee
D. W. Vyce, Director of Property



CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 19
S723-61 (P. Strong)

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P. Eng.
Senior Director

SUBJECT: **1993 Servicing Expenditures Related to Subdivisions**

RECOMMENDATION:

a) i) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated cost of services in;

"WISEMOUNT ESTATES - PHASE 2", Hamilton

City's Share $ 132,006.40 **Subdivider's Share** $ 229,954.79

ii) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owner of "Wisemount Estates - Phase 2", Hamilton.

iii) That approval of the above noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.

iv) That in the event that the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement they should be allowed to do so at their own risk provided they enter into standard agreement with the City of Hamilton for pre-servicing.

b) That the City's share for the cost of services in "Wisemount Estates - Phase 2, ($ 132,006.40) be approved and the Finance and Administration Committee recommend the source of funding for this project.

Ted Gill

E.M. Gill, P.Eng.

Cont'd...

Cont'd...

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The total estimated costs of the City's share of services to be approved at this time for this development is **$ 132,006.40.**

A portion of the City's share of costs ($ 20,817.76) is associated with extra depth asphalt which is to be installed on Carson Drive and is non-recoverable in the future.

The remaining portion of the City's share ($ 111,188.64) is associated with the above ground services being installed adjacent to property currently owned by the Board of Education for the City of Hamilton. This portion of the City's share is recoverable and can be collected through the existing agreement with the School Board to pay for services abutting their lands at the equivalent rate of the Local Improvement Charges. (see Schedule "A" for a breakdown in the City's share)

The estimate for the cost sharing between the City and the owner is in accordance with current City policy.

The Developer's share for the above ground services is attributed to the transfer of a reserve abutting their Subdivision. The City of Hamilton acquired land required to provide a sewer outlet for lands to the west of this development, which will be established as a Public Highway after the registration of Phase 2, see plan. The reserve is in excess in the 20 metre road allowance and is to be transferred to 822827 Ontario Inc. for inclusion in the lands of their Subdivision. One of the conditions of the transfer of the reserve is that the developer pay for the above ground services as if the land for future Carson Drive were included in the Plan of Subdivision for Phase 2.

cont'd...

February 19, 1993

1993 Servicing Expenditure Related to Subdivisions

Cont'd...

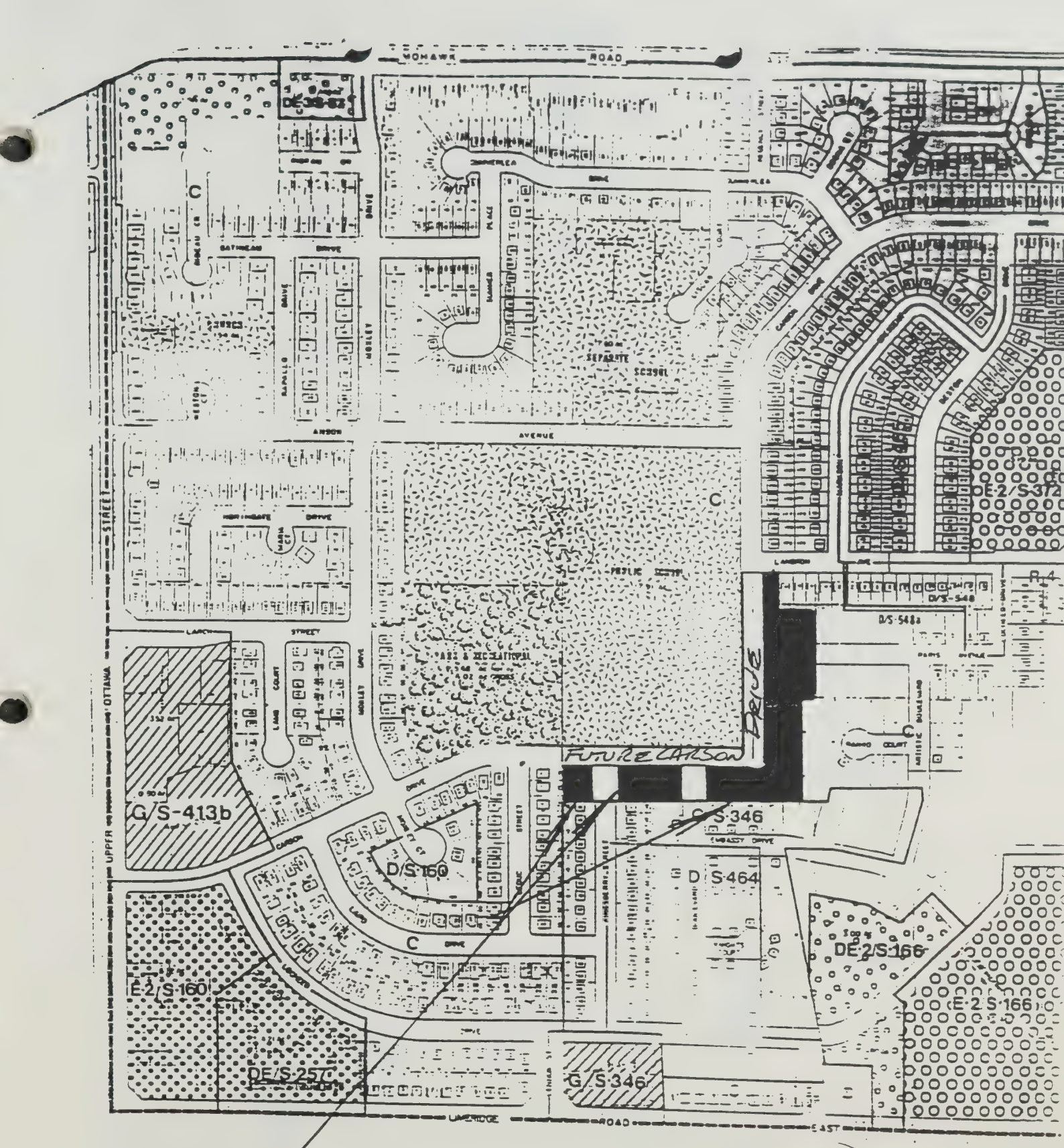
BACKGROUND:

At its meeting of September 27, 1983, City Council approved the draft plan of Wisemount Forest Survey subject to certain conditions. One condition is that the owner enter into a subdivision Agreement with the City. The owner, 822827 ONTARIO INC., now wishes to proceed with the development of "Wisemount Estates-Phase 2" and will be executing a Subdivision Agreement in the near future.

Wisemount Estates - Phase 2 will result in the creation of twenty (20) single family lots (see Schedule "A" attached). This development is located in the Lisgar Neighbourhood south of Landron Avenue, on the west side of Upper Kenilworth Avenue.

The Developer's share for the above ground services is attributed to the transfer of a reserve abutting their Subdivision. The City of Hamilton acquired land required to provide a sewer outlet for lands to the west of this development, which will be established as a Public Highway by By-law, after the registration of Phase 2, see plan. The reserve is in excess in the 20 metre road allowance and is to be transferred to 822827 Ontario Inc. for inclusion in the lands of their Subdivision. One of the conditions of the transfer of the reserve is that the developer pay for the above ground services as if the land for future Carson Drive were included in the Plan of Subdivision for Phase 2.

PS
cc: A. C. Ross, City Treasury Department
cc: M. Watson, Real Estate Division, City Property Department
cc: Councillor D. Ross, Chairman, Finance and Administration Committee



KEY PLAN FOR
"WISEMOUNT ESTATES"
PHASE 2, HAMILTON

CITY OF HAMILTON
PLANNING DEPARTMENT

LISGAR

APPROVED PLAN

NORTH

SCALE

1993 SUBDIVISION EXPENDITURE SUMMARY

CITY'S SHARE OF EXPENDITURES

Name Of: SUBDIVISION DEVELOPER CONSULTANT SURVEYOR	# OF LOTS AND LOCATION	SUBDIVISION AGREEMENT AUTHORIZATION	DESCRIPTION OF WORKS	0.3 METRE RESERVE COSTS	NON-RECOVERABLE & OVERSIZED COSTS	TOTAL CITY'S SHARE	TOTAL SUBDIVIDER'S SHARE	TOTAL SERVICING COSTS
WISEMOUNT ESTATES-PHASE 2 822827 ONTARIO INC. Urbex Engineering Ltd. S. D. McLaren O.L.S., (Dept. File No. S723-61)	20 LOTS Hamilton	Item 4(b) P & D 19-83	Catch Basins & Connections	$ 6,928.69	$ 0.00	$ 6,928.69		
			Curbs & Sidewalks	$40,390.98	$ 0.00	$ 40,390.98		
			Finished Roads	$58,618.97	$ 20,817.76	$ 79,436.73		
			Dead End Barricade	$ 0.00	$ 0.00	$ 0.00		
			Street Lighting	$ 5,250.00	$ 0.00	$ 5,250.00	$229,954.79	$361,961.19
TOTALS:				$ 111,188.64	$ 20,817.76	$ 132,006.40	$229,954.79	$361,961.19

SCHEDULE "A"

* OVERSIZING EXPENDITURES are Non-Recoverable
* 0.30 METRE RESERVE EXPENDITURES are Fully Recoverable

C (ii)

CITY OF HAMILTON

- INFORMATION -

FEB 23 1993

DATE: 1993 February 23

REPORT TO: Mrs. S. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Distinguished Budget Presentation Award - The City of Hamilton for 1992

BACKGROUND:

Treasury Department staff have been advised that the City of Hamilton has received a Distinguished Budget Presentation Award for its 1992 Budget document.

The Distinguished Budget Presentation Award is the highest form of recognition in governmental budgeting. Its attainment represents a significant achievement by our organization.

The budget document was prepared by the City's Treasury Department Budget Section. Section members are Nik Adhya, Manager of Budgets, Kevin Beattie, Budget Officer, and Colin Kerr, Budget Analyst.

This is the second consecutive year the City's Treasury Department is going to be awarded with the Distinguished Budget Presentation Award from the Government Finance Officers Association of the United States and Canada (G.F.O.A.) for its budget presentation. The City has demonstrated a commitment to good governmental budgeting and efforts aimed at improving the quality of budget documents.

The award is valid for one year and we are planning to continue our participation in the program with the support of the Management Team and Council.

The formal public presentation of the award will be made at Council at an appropriate future date.

BACKGROUND: - Continued

We appreciate the support received from other Treasury Department staff members, all Department Heads and Managers of Local Boards and their staff, in providing us with the appropriate information for compiling this documentation.

Allan C. Ross

NRA:jc

c.c. Robert M. Morrow, Mayor
D. Carson, Executive Director
Members of the Management Team

D (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 25

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **Candlelight Vigil**

RECOMMENDATION:

(a) That the Women's Centre of Hamilton-Wentworth be granted permission to use the forecourt and related equipment on Sunday, 1993 March 07 at 7:00 p.m. for a Candlelight Vigil in support of the women in Bosnia-Herzegovine.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funds in the approximate amount of $120.00 to cover Property Maintenance staff costs associated with this event will be taken from Account CH 55222 10034 - Use of City Hall by Outside groups.

BACKGROUND:

The Women's Centre of Hamilton-Wentworth is proposing to hold a Candlelight Vigil in support of the women who are experiencing mass rape in Bosnia-Herzegovine. The mass rapes in this location have been well documented in the press in recent weeks.

The Women's Centre will also be calling upon the Federal Government to make mass rape an international war crime.

cc: Mayor's Office
Mr. R. Swan, Manager, Property Maintenance Division
Information Desk
File

D (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 25

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **1993 Easter Seal Campaign**

RECOMMENDATION:

(a) That approval be given to the action taken by the City Clerk in authorizing the Easter Seal flag to be flown at City Hall during the month of March - Easter Seal month.

(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Easter Seal Committee of the Hamilton Rotary Club will be holding its Annual Easter Seal Campaign during the month of March with the 1993 campaign target set at $150,000.00.

Although the Easter Seal Campaign is an annual event, this will be the first year in which an Easter Seal flag has been available to be flown at City Hall.

cc: Mayor's Office
Mr. R. Swan, Manager, Property Maintenance Division
Information Desk
File

D (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 25

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **Mayor's Race Relations Committee - Use of Council Chamber**

RECOMMENDATION:

(a) That approval be given to the request of the Mayor's Race Relations Committee to use the Council Chamber and Council Chamber annex on Wednesday, 1993 March 17 at 7:30 p.m. to host a public meeting and reception on the occasion of a visit to Ontario by race relations personnel from London, England.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Mayor's Race Relations Account CH55206 82030 to cover the cost of light refreshments for this event.

BACKGROUND:

A group of race relations educators from London, England will be visiting Ontario in mid-March. The Mayor's Race Relations Committee is proposing to hold a public meeting and reception in order that members of the public, as well as Committee members, may be invited to meet and listen to the visitors.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

D (iv)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 25

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **Vintage Auto Sprints at Christie**

RECOMMENDATION:

(a) That permission be granted to the Vintage Auto Sprints at Christie Inc. to use the City Hall forecourt on Friday, 1993 August 20 from 3:30 p.m. - 6:30 p.m. for a display of vintage race cars.

(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Vintage Auto Sprints at Christie Inc. are requesting the use of the forecourt to display vintage race cars which will be used in the Vintage Auto Sprints at Christie. The display will take place on Friday, 1993 August 20 from 3:30 p.m. - 6:30 p.m. prior to a parade to Dundurn Castle where a civic reception and the official opening of the event will take place. The Vintage Auto Sprints at Christie Inc. hope that by having this display they will increase the awareness of the local Hamilton population to this event.

cc: Mayor's Office
Mr. R. Swan, Manager, Property Maintenance Division
Information Desk
File

CITY OF HAMILTON

- RECOMMENDATION -

E.

DATE: 1993 February 25

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: **Strip of Surplus Land**
8.5 feet x 77 feet
Adjacent to the Church of the Good Shepherd
480-490 Melvin Avenue

RECOMMENDATION:

a) That the City Quit Claim to the Synod of the Diocese of Niagara of the Anglican Church a vacant parcel of land situated in the City of Hamilton, being composed of part of Lot 30, Concession 2, formerly in the Township of Saltfleet, being part of Block E, Registered Plan 865, as shown in heavy outline on Survey Plan as compiled by Guido Consoli, Ontario Land Surveyor, attached hereto, having a frontage on Melvin Avenue of 2.591 metres (8.5 feet) more or less, and a depth of 23.46 metres (77.0 feet) more or less, and containing an area of 60.80 square metres (654.5 square feet) more or less, be approved and completed, and the funds derived from this transfer of $1 be credited to Account No. CH 4X999 00102 (Reserve for Property Purchases - Other Revenue).

b) That the Mayor and City Clerk be authorized to execute the document in a form satisfactory to the City Solicitor.

D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

It would appear that when the Corporation of the City of Hamilton, by Instrument Number 182831 A.B. (April 16, 1970), conveyed part of Block E, Plan 865, to the Board of Education for the City of Hamilton (as highlighted on Schedule "A" attached hereto), a parcel of land having frontage on Melvin Avenue of 8.5 feet and a depth of 77.0 feet was omitted from the conveyance. The Congregation of the Church of the Good Shepherd on behalf of the Synod of the Diocese of Niagara, located at 480-490 Melvin Avenue, have been using the said land for a walkway to their Church for over 20 years.

This Department has received a request from Gerrald B. Aggus of Simpson, Wigle, Barristers and Solicitors, to transfer title of this strip of land to the Church. Mr. Aggus has included a Statutory Declaration from the Reverend Donald Coombe in which the Synod of the Diocese of Niagara asserts a possessory title to these lands. After seeking advice from the City of Hamilton Law Department, we were advised by Mr. Dave Powers that there is merit to their claim and that it would be in order that the City Quit Claim this parcel to the Church.

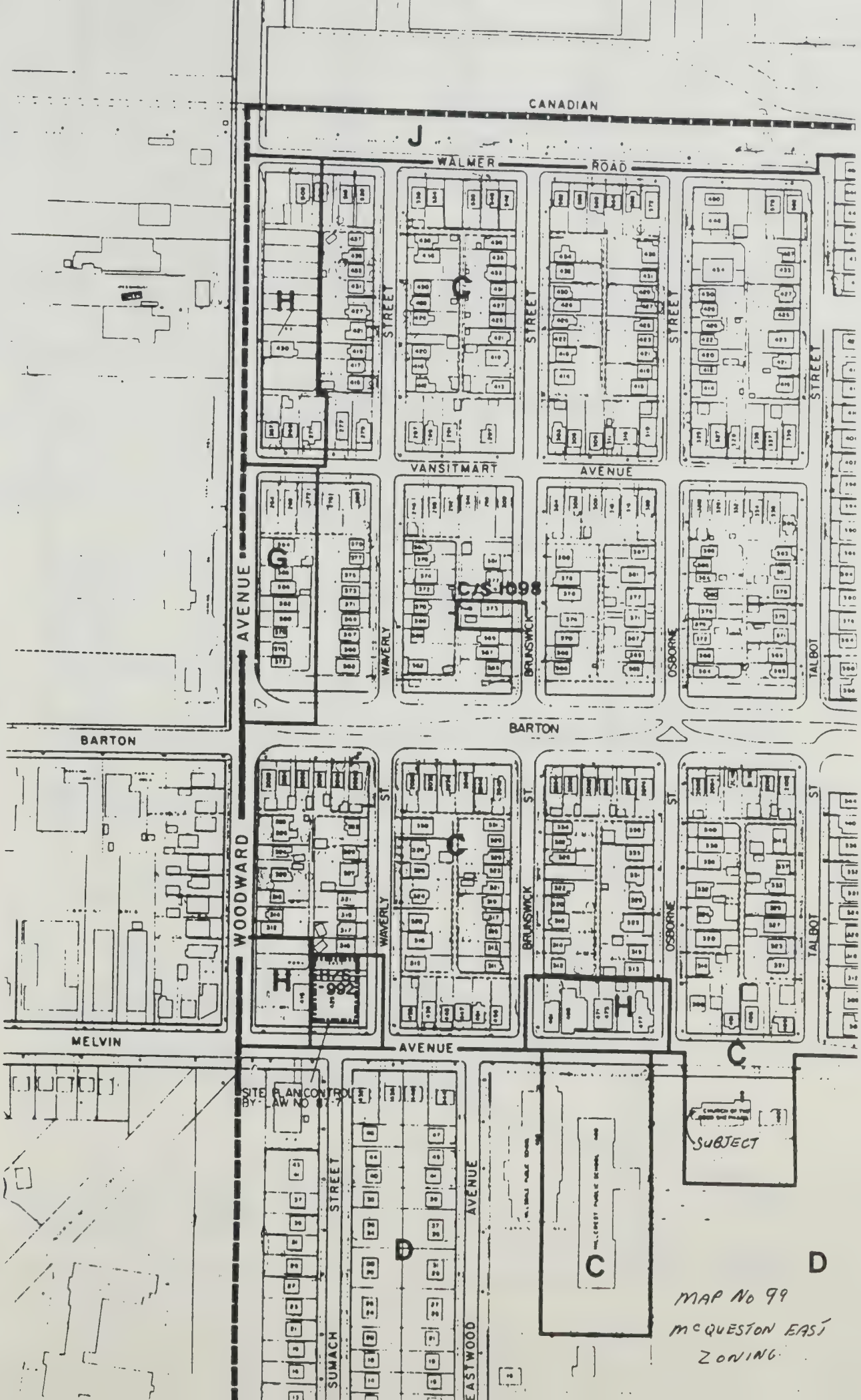
RWW/klb

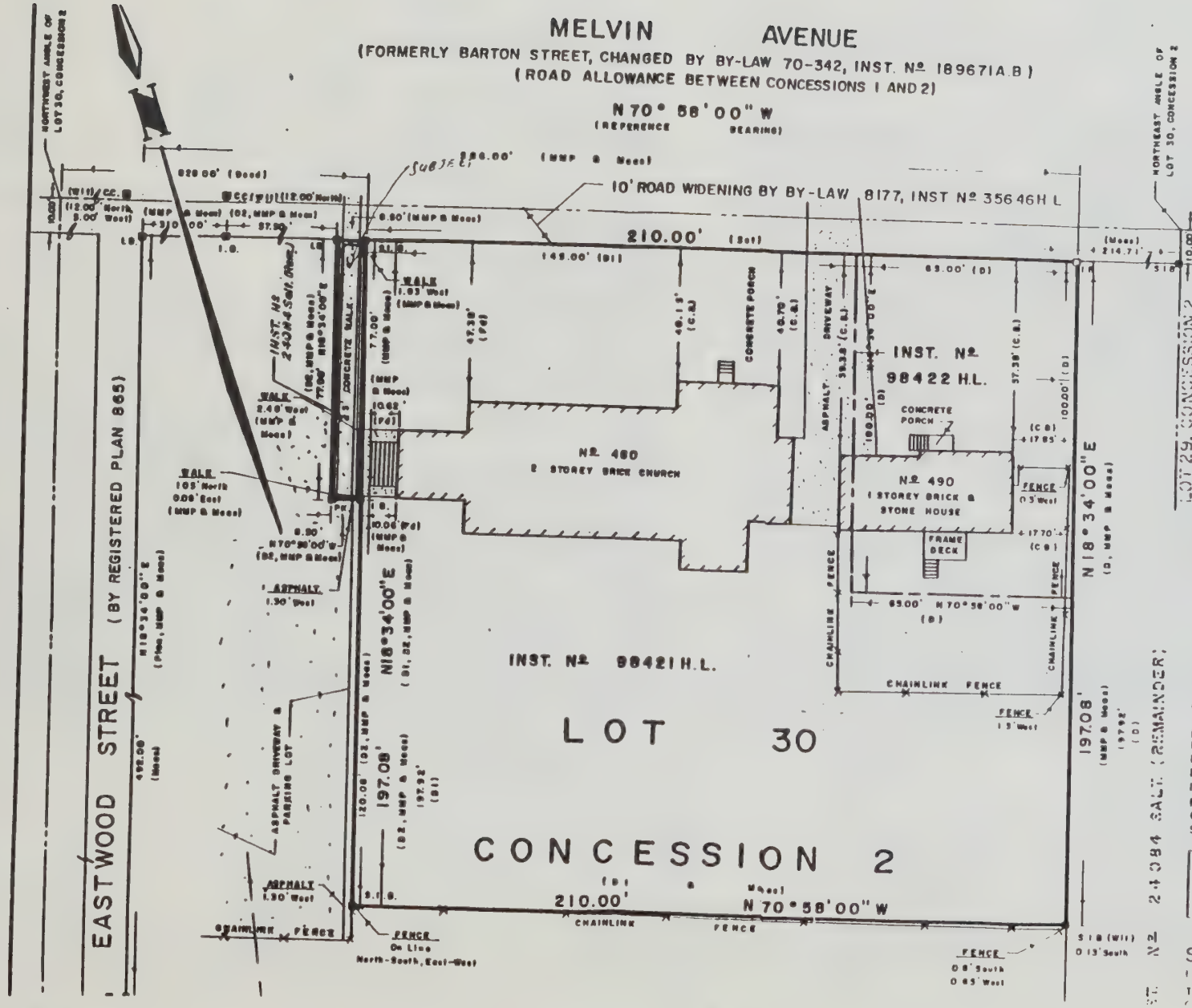
c.c. P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

R. Douglas, Manager of Field Surveys, Transportation Services Department

(92C-203 - 4503)


CANADIAN
WALMER ROAD
STREET
VANSITMART AVENUE
WAVERLY
BRUNSWICK
OSBORNE
TALBOT
BARTON
WOODWARD AVENUE
MELVIN
SITE PLAN CONTROL BY-LAW NO 81-7
SUBJECT
SUMACH STREET
EASTWOOD AVENUE
MAP No 99
McQUESTON EAST
ZONING



SURVEYOR'S REAL PROPERTY R
PART 1
PLAN OF

PART OF LOT 30 CONCESSION 2

CITY OF HAMILTON
(FORMERLY TOWNSHIP OF SALTFLEET)
REGIONAL MUNICIPALITY OF HAMILTON–WENTWORTH

SCALE : 1" = 30'

GUIDO CONSOLI SURVEYING LTD
ONTARIO LAND SURVEYORS
1992

BEARING NOTE:

BEARINGS ARE ASTRONOMIC AND ARE REFERRED
THE WIDENED LIMIT OF MELVIN AVENUE,
AS SHOWN ON REGISTERED PLAN 865, HAVING A BE
OF N70°58'00"W.

LEGEND

SURVEY MONUMENT FOUND
SURVEY MONUMENT PLANTED
STANDARD IRON BAR
IRON BAR
CUT CROSS
WITNESS
REGISTERED PLAN 865
MacKAY, MacKAY, PETERS, O.L.S
INST Nº 98422 H.L.
INST Nº 98421 H.L.
INST Nº 182831 A B
FOUNDATION
CONCRETE BLOCK
SURVEY NAIL

THIS REPORT WAS PREPARED FOR SPEARS & SMIT
AND THE UNDERSIGNED ACCEPTS NO RESPONSIBIL
FOR USE BY OTHER PARTIES

SURVEYOR'S CERTIFICATE

I CERTIFY THAT
THE FIELD SURVEY REPRESENTED ON THIS PLAN

F.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 March 1st

REPORT TO: Alderman D. Ross, Chairperson
and Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Metropolitan Toronto - Response to the City of Vaughn's Resolution respecting Surplus Municipal Campaign Funds - dated 1993 February 8.

(b) Correspondence - Ms. Elizabeth Savelli - Opposition to the Status of Women's Vote on a Pro-choice Position - dated 1993 January 25.

(c) Minutes - Hamilton Farmers' Market Sub-Committee meeting of 1993 January 13.

(d) Minutes - Taxi Advisory Committee meeting held 1993 January 19.

(e) Information Report - City Solicitor - Judicial Decision - Taxi Cab Owner's License - Denial - dated 1993 February 23.

G.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 23

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Stella Glover, Secretary
Taxi Advisory Committee

SUBJECT: **Taxi Advisory Committee Membership**

RECOMMENDATION:

That Mary Sinclair be appointed to replace Tony Aquilina as a citizen representative to the Taxi Advisory Committee for a term to expire 1994 November 30.

Stella Glover

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Mr. Tony Aquilina , a citizen member who represented persons with physical disabilities on the Taxi Advisory Committee, recently resigned due to major changes in his work duties.

The Advisory Committee for Persons with Physical Disabilities has submitted the name of Mary Sinclair to fill the vacancy created by Mr. Aquilina's resignation.

cc: Ald. D. Drury, Chairperson, Taxi Advisory Committee
Ald. G. Copps, Chairperson, Advisory Committee for Persons with Physical Disabilities
Mr. S. Dembe, Licence Division Manager
File

4.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 17

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. G. Hindson, P.Eng.
Director of Information Systems

SUBJECT: Bell Canada Rate Increase (INF 93-112)

RECOMMENDATION:

That the attached report on the impacts of the proposed local residential and business telephone rate increase be received.

J. G. Hindson, P.Eng.

FINANCIAL IMPLICATIONS:

N/A

BACKGROUND:

Council at its meeting on 1993 February 9, passed the following resolution:

"a) That the Finance and Administration Committee be requested to ask the Chief Administrative Officer to prepare a report on the impact of Bell Canada's bid to increase local residential and business telephone rates and the effect the price increase will have on Hamilton based on the current telephone users, and further

b) That the Mayor and representatives of City Council be authorized to present a brief to the Canadian Radio-television and Telecommunications Commission in opposition to the proposed rate increases which will be conducting a public hearing that is tentatively scheduled to take place in Hull, Quebec May 17th, 1993."

Council also requested an explanation for Hamilton's exclusion from the *Toronto Community Calling Plan.*

IMPACT OF PROPOSED INCREASE IN LOCAL RESIDENTIAL AND BUSINESS PHONE RATES

1993 February 24th

This report has been prepared in response to a request by the Council of The Corporation of the City of Hamilton for information concerning the impact of a proposed local telephone rate increase for local residential and business telephone subscribers in the Hamilton area.

Bell Canada has filed with the CRTC (Canadian Radio-television and Telecommunications Commission) for a general increase in telephone rates affecting Business and Residential subscribers. Centrex and Trunk Line services are not affected by this rate filing. Bell Canada has indicated that the last increase in local rates was in 1983.

Bell Canada has also filed for the creation of *Community Calling Plan Areas* for Toronto, Ottawa-Hull and Montreal. The Community Calling Areas are basically larger local calling zones that are free of long distance charges within the *Community Calling Plan Area.*

Impact of Local Rate Change request on Hamilton Area Telephone Subscribers [1]

Bell has applied for two rate increases, one to take effect on 1993 April 1 and the second on 1993 September 1:

Rate Increase	Present Rate	New Rate (inc) 1993 Apr 1	New Rate (inc) 1993 Sept 1	Annualized Increase
Residence	$ 9.15	$10.55 (15.3%)	$15.90 (50.7%)	(73.8%)
Business	$32.10	$35.35 (10.1%)	$39.60 (12.0%)	(23.4%)

Estimated Bell Canada Revenue Increases within Hamilton-Wentworth:

	Phone Lines[1]	1993 Apr 1 Increase	1993 Sept 1 Increase	Total Annual Increase
Residence	155,000	$217,000/mo	$829,250/mo	$12,555,000
Business	42,000	$136,500/mo	.$178,500/mo	$ 3,780,000
Total	197,000	$353,500/mo	$1,007,750/mo	$16,335,000

Assuming an increase of $16,335,000 in gross revenues within the Hamilton-Wentworth Region, the portion attributable to the area within the City of Hamilton (using population to prorate the amount) would be approximately $11,520,000 [2]

Community Calling Plan Proposal

Bell Canada has proposed three Community Calling Plan Areas (Toronto, Ottawa-Hull and Montreal). Telephone subscribers in these larger calling areas would pay higher monthly phone rates but would not have any long distance charges within those areas.

Bell Canada has advised that the decision regarding the Municipal areas to be included in the Toronto Community Calling Plan Area was in accordance with their "Community of Interest" guidelines which take into account current calling patterns.

As far as we can determine, Bell Canada did not undertake a study of the Hamilton area as a potential *Community Calling Plan Area.* All residents in the Hamilton area do not currently have local calling privileges. Long distance charges apply between Stoney-Creek and Ancaster and some areas within the Region (e.g. Sheffield) are in another area code (519).

Impacts on the Corporation of the City of Hamilton

The Corporation of the City of Hamilton uses Centrex services extensively and therefore is only affected by the proposed rate increase in terms of the number of "business" lines (non-Centrex) used by the Corporation. The annualized impact on the City of Hamilton Budget is an increase of $18,100. However, if the Toronto Community Calling Area is established there would be offsetting savings in long distance costs as the current "Toronto" trunk lines would be changed to terminate in Aldershot rather than Port Credit.

Municipal Taxes paid by Bell Canada

Bell Canada pays municipal taxes based on gross revenues generated within each Municipality. In 1991, taxes received as the result of Bell's operations within the City of Hamilton were $6,912,700 [3].

This revenue is distributed to the Region and School Boards in accordance with the provisions of the Municipal Act. The City of Hamilton portion was $1,813,500 in 1991. Based on the general increase proposal, the annualized taxes (City only) would increase by $151,100 (assuming no reductions in current Bell Canada gross receipts).

CRTC Submission Deadline (1993 March 22)

In accordance with the CRTC procedures, any letter concerning this rate filing by Bell Canada, or any request to appear before the Commission's hearings must be received by the CRTC before 1993 March 22nd. The hearings are (tentatively) scheduled to commence in Quebec City on 1993 May 17th.

[1] based on statistics for Hamilton-Wentworth Region, 42,000 Business lines, 155,000 residential lines provided by Bell Canada.
[2] pro-rated based on population.
[3] based on information from Bell Canada's 1991 Statement of Gross Receipts

prepared by Information Systems - 1993 February 24th

5.(a.)

CITY OF HAMILTON

- RECOMMENDATION -

FEB 25 1993

DATE: 1993 February 24

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Joe Pavelka, P. Eng.
Chief Administrative Officer

SUBJECT: **Merging Fleet Services Functions**

RECOMMENDATION:

That the City Garage function presently in the Treasury Department be merged with the Fleet Services Division in the Public Works Department.

That the Chief Administrative Officer and the Director of Public Works report back to the Transport and Environment Committee and the Finance and Administration Committee with a recommendation on the organizational structure.

J. S. Pavelka

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Fleet Services

Over the past 6 years the City has restructured and significantly upgraded the sophistication and quality of its expertise in the Fleet Services Division of Public Works. As well the Division has made a concentrated effort on improving the quality of equipment and vehicles simultaneously endeavouring to reduce the number of pieces of equipment.

On Wednesday, February 10, 1993 the vacant position of Manager of Fleet Services was filled by promoting the Superintendent of Operations. It is managements' intention to leave the Superintendent of Operations position vacant to determine how feasible it is to operate with the position vacant. Co-ordination of supervision with the City Garage operation is a key contributor to this decision.

To the credit of the Superintendent of Operations, who was promoted to the Manager of Fleet Services position, Mr. Guthro is an "in-house" employee who grew up through the ranks starting from a junior position and promoted through mechanic's positions through Foremen's positions to the Superintendent of Operations position and now to the Manager of Fleet Services position. Recently Mr. Guthro successfully completed the Diploma in Public Administration Course at the University of Western Ontario. Over the last 5 years, Mr. Guthro has also successfully completed a degree course at McMaster University in Management. I will add that the City's Senior Managers in Public Works have continually promoted and supported Mr. Guthro's career development.

City Garage

As with Fleet Services, changes such as the updating of the quality of the fleet have occurred in the City's garage operation over the past few years. Recently, Committee and Council have maintained the Chauffeurs for the Mayor and the cars, however the Mayor has chosen to utilize his private car to conduct City business. Accordingly, the incumbents carrying out the Chauffeurs' responsibilities are not being fully utilized for their regular driving and garage duties. One has therefore been temporarily assigned other additional duties.

Consolidation

Over the past few years, Fleet Services has increased the amount of work done for the City Garage. The present percentage of work done in-house as compared to contracting out is approximately 70% in-house versus 30% contracted out. This gradual increase has resulted from cost and quality comparisons of in-house versus contractors. Past audits of Fleet Services has shown the optimum percentage ratios to be 85% in-house versus 15% contracted out, this could be reached through amalgamation.

Staff believe that consolidating the City Garage into the Fleet Services division can achieve a number of important benefits:

As previously noted, there is greater scope for reorganization/consolidation at the Supervisory level. Some immediate savings can be achieved in that regard through the interim decision to leave the Superintendent's position vacant. It is felt that the Supervisor of the City Garage with his knowledge and supervisory experience could contribute positively to the Fleet Services operation particularly in the absence of a Superintendent of Operations.

Consolidation allows activities to be redistributed between the Garage and Fleet facilities, to locate staff in the facility that best suits their activity and to reduce shuttling of cars, etc., between facilities.

The co-ordination of the acquisition/disposal function for vehicles which has been taking place for many years can be further refined and improved. Such co-ordination can also be enhanced for vehicle usage as well.

A combined function offers greater scope for effective utilization of all employees, in circumstances such as the present adjustments to the chauffeurs' duties.

Overall, consolidation of the city Garage function with Fleet Services offers greater organizational flexibility and should result in improved efficiency, effectiveness and cost savings in the future.

Attached are the Organization Charts for the Fleet Services Division of Public Works and for the City Garage operation.

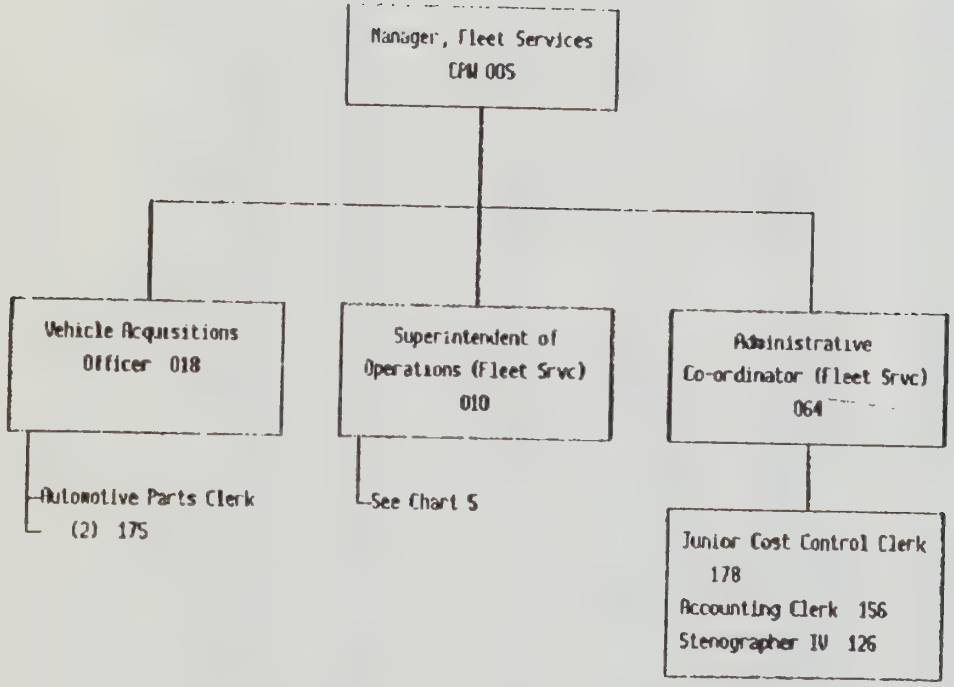
Attach.

c.c. Mr. D. Lobo, Director of Public Works
Mr. Allan C. Ross, Treasurer
Mr. C. Guthro, Manager of Fleet Services
Mr. G. Dibacco, Supervisory, City Garage
Transport and Environment Committee

DEPARTMENT OF PUBLIC WORKS

Original Retained in
Human Resources Centre

Chart 4 of 11



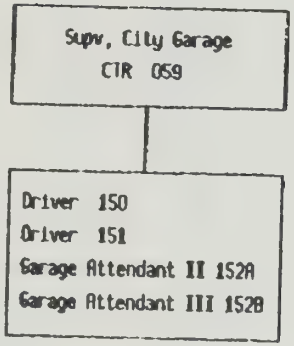
Signature Date

April 20, 1992

TREASURY DEPARTMENT

Original Retained in
Human Resources Centre

Chart 7 of 7



Signature

July 15, 1992

Date

CITY OF HAMILTON

- INFORMATION -

DISTRIBUTED FOR INFORMATION TO MEMBERS OF FINANCE AND ADMINISTRATION COMMITTEE
CAO
1993 Feb. 2 Susan K. Reed
DATE SIGNATURE

5(b.)

DATE: 1993 February 2

REPORT TO: Chairman and Members
Finance and Administration Committee

FROM: J.G. Pavelka, P. Eng.
Chief Administrative Officer

SUBJECT: **Windermere Basin Rehabilitation Project Status Update**

BACKGROUND:

Council, at its meeting of April 5, 1988, approved the funding agreement for the Windermere Basin Rehabilitation Project.

The cost of the project was to be funded as follows:

Region	(16.7%)	$750,000
City of Hamilton	(16.7%)	$750,000
Public Works Canada	(27.8%)	$1,250,000
Province of Ontario	(27.8%)	$1,250,000
The Hamilton Harbour Commissioners	(11%)	$500,000
	Total	$4,500,000

As a result of increases in construction costs ($731,803.23) the funding partners were requested to provide additional funding to complete the project. A request addressed to staff for additional funding from the City and Region, dated January 12, 1990 from the Hamilton Harbour Commissioners was received.

The requested cost share breakdown was as follows:

Partners	Original Contribution	Increased Costs	Revised Request
Region	$750,000	$106,638.21	$856,638.21
City of Hamilton	$750,000	$106,638.21	$856,638.21
Public Works Canada	$1,250,000	$177,730.34	$1,427,730.34
Province of Ontario	$1,250,000	$177,730.34	$1,427,730.34
Hamilton Harbour Commissioners	$500,000	$163,066.13	$663,066.13
Total	$4,500,000	$731,803.23	$5,231,803.20

Windermere Basin Rehabilitation Project Status

On February 19, 1990 Public Works Canada cancelled the remainder of the contract with S. McNally and Sons Limited.

The Transport and Environment Committee considered a staff report recommending payment of a share on March 5, 1990, but tabled the request until the question of land use of the additional property was addressed. The Region also tabled the request for additional funding.

Subsequently, at its meeting of August 20, 1990, Council approved additional funding in the amount of $106,675.10 provided that the following conditions were met:

a) That the Hamilton Harbour Commissioners administer the funds pursuant to the Windermere Basin Trust Agreement dated the 26th day of May 1988;

b) That the Hamilton Harbour Commissioners and the Region/City agree on a process for land use determination of Hamilton Harbour;

c) That the Hamilton Harbour Commissioners transfer the Region/City a minimum of 5% of land in the Windermere Basin for parkland dedication (or equivalent satisfactory to the Region/City recognizing development and maintenance and further landscaping plans set out in the Windermere Basin Reclamation Project plans), for parkland or gateway/aesthetic purposes PROVIDED that the interest determined is concurred with by the other funding partners, thereby supporting the intent of the original Funding Agreement.

d) That the Hamilton Harbour Commissioners agree to report regularly to the Region/City on the clean up of Windermere Basin.

The Hamilton Harbour Commission responded with a letter dated September 17, 1990, informing the City that additional funding from the City was no longer required.

As a result of Public Works Canada terminating S. McNally & Sons Limited contract, a claim for Breach of Contract was submitted by S. McNally & Sons Limited in the amount of $400,000. This claim also included costs for other items under dispute between McNally and Public Works Canada.

Public Works Canada and their consulting engineer, Mar-Land Engineering Limited, have negotiated a settlement of the Breach of Contract Claim with McNally in the amount of $225,000. As the Region and the City of Hamilton were neither parties to the action nor involved in the negotiations, staff are not in a position to comment on the proposed settlement. The City Law Department has previously advised Council that under the terms and conditions of the funding agreement, the City of Hamilton is not obligated to share in any increased costs.

The City of Hamilton and the Region are being asked to contribute to the costs of settling McNally's claim, and at a meeting held September 11, 1992, several proposals were presented to staff. It appears that this most recent proposal is for the City to contribute a total of $94,943.26 toward the cost of the original contract and settlement of claim with McNally. Alternately, it appears that the Federal and Provincial Governments and the Harbour Commission may be prepared to initiate a lawsuit against the City and Region.

J. G. Pavelka

c.c. Allan C. Ross, Treasurer
P. Noé Johnson, City Solicitor
V.J. Abraham, M.C.I.P., Director, Regional Planning Division
E. M. Gill, Senior Director of Roads

Hamilton, Ontario, Canada
L8L 1K1

Toronto 1-800-263-2131
Telex 061-8638

Administration 528-6282
Terminal 525-7258

The Hamilton Harbour Commissioners

February 22, 1993

The Corporation of the
City of Hamilton
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

ATTENTION: MR. JOSEPH SCHATZ
CITY CLERK

SUBJECT: FINAL REPORT - WINDERMERE BASIN REHABILITATION PROJECT - WRITTEN ON BEHALF OF WINDERMERE BASIN FUNDING PARTNERS

Dear Sir:

Reference is made to the above project which was a cooperative effort by four levels of Government and The Hamilton Harbour Commissioners to clean up Windermere Basin in the east Harbour. The project was funded through a special five-party funding agreement of which each party contributed a specific portion of the funds required to complete the project.

Due to cost overruns, the funds generated by this agreement were insufficient to complete the scope of the project and this agreement expired on March 31, 1990 with the project remaining incomplete and the trust established to finance the project in a deficit position.

Subsequently The Commissioners, the Province and the Federal Government contributed $523,000.00 in additional funding to advance the project as originally envisioned. In addition, The Board of Commissioners have also undertaken to complete certain portions of the project on its own and at its expense. The Commissioners have invested $190,000.00 in capping the contaminated sediment and landscaping which is estimated to be completed by 1998. We are not seeking contributions towards these two amounts.

However, there remains one outstanding issue.

In October 1990, S. McNally & Sons, the main contractor for the project, launched a lawsuit against Public Works Canada, the agent for the original Five Funding Partners, claiming Breach of Contract and sought damages in the amount of $400,000.00. This was the result of a contractual dispute over pay quantities, lost overhead and delay claims with Public Works Canada.

An out of court settlement was reached between Public Works Canada and S. McNally & Sons on July 3, 1992 in the amount of $225,000.00 with additional expenses for staff time in the amount of $35,091.04, totalling $260,091.04. Although no Funding Partner was party to the negotiations of the settlement, The Commissioners, the Provincial and Federal Agencies accept the settlement solely to avoid further long and costly litigative procedures.

To date, the settlement and expenses related thereto remains outstanding. On behalf of the Funding Partners, of which The Commissioners are but one, we seek participation by the City and Region to cost-share this amount as follows:

Agency	Original Trust Fund Share	Contribution to Date	Additional Contribution	Final Proportion
Government of Canada	27.8%	$1,359,570.18	$28,870.20	27.4%
Province of Ontario	27.8%	$1,357,362.01	$28,870.19	27.3%
Region of of Ham.-Went.	16.7%	$ 750,000.00	$94,943.27	16.7%
City of Hamilton	16.7%	$ 750,000.00	$94,943.26	16.7%
Hamilton Harbour Commissioners	11.0%	$ 592,636.32	$12,464.13	11.9%
TOTAL	100%	$4,809,568.51	$260,091.04	100%

The additional contribution set forth above will bring the City and Region's contribution towards the project to their full proportionate share as set out in our original funding agreement.

We therefore respectfully request both Regional and City Council to give consideration to contributing $94,943.26 each towards this outstanding amount. Upon receipt of these funds, it will then be possible to wind up the Windermere Basin Rehabilitation Project Trust Fund.

All other parties have made commitments to the above cost-sharing proposal.

Yours truly,

THE HAMILTON HARBOUR COMMISSIONERS

R.R. HENNESSY, P. ENG.,
PORT DIRECTOR

RAE:jg
WP H:\JG\RAE\RAE.436

6.

CITY OF HAMILTON

- INFORMATION -

DATE: 1993 February 24

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Joe Pavelka
Chief Administrative Officer

Allan C. Ross
Treasurer

D. W. Vyce
Director of Property

SUBJECT: $225,000 Loan to Theatre Terra Nova/Theatre Focus -
Mortgaged Property: 177 Sherman Avenue North

BACKGROUND:

City Council approved the mortgage loan of $225,000 to Theatre Terra Nova in August, 1990. The loan was for the purpose of buying the Playhouse Theatre on Sherman Avenue North in order to provide a more suitable home for the Theatre. The mortgage provided for payment of $1,339.00 per month for 14 years commencing one year after the loan i.e. September 1991 until September 1, 2005.

Due to financial difficulties encountered by Theatre Terra Nova, City Council further approved on July 28, 1992 the following:

> "That the monthly mortgage payments due the City from Theatre Terra Nova/Theatre Focus (Hamilton) Inc. be reduced temporarily for a period of commencing 1991 November 1 to 1992 June 1 (inclusive) and a further 6 months to 1992 December 1 from the present amount of $1,339. to a new amount of $100. per month on the following conditions:
>
> (i) that the borrower enters into a Mortgage Amending Agreement with the City;

BACKGROUND: - Continued

(ii) that the Mortgage Amending Agreement permit the borrower to have the reduced monthly payment as indicated above;

(iii) that the Mortgage Amending Agreement is prepared by the borrower's solicitor in a form satisfactory to the Law Department;

(iv) that the borrower's solicitor certify to the City that the Mortgage Amending Agreement has been duly authorized, executed and registered by the borrower and is enforceable according to its terms."

Theatre Terra Nova resumed their monthly payment as of January 1, 1993 with the full instalment payment of $1,339.00, but failed to pay their February 1, 1993 instalment of $1,339.00 as of February 11, 1993.

On February 12, 1993, the Treasury Department forwarded registered letters to the Secretary, Treasurer, Past President and President of Theatre Terra Nova requesting payment of the February instalment of $1,339.00 plus interest by February 22, 1993 or at least an explanation of why payment was being withheld. To date we have not received a response.

The Treasury Department is still in the process of establishing the status of Terra Nova's position with respect of payment. The principal balance outstanding as of January 1, 1993 is $219,583.00 after applying the January 1, 1993 instalment.

The Committee should be aware of the property tax situation of Theatre Terra Nova. The property tax outstanding as of February 11, 1993 (1992 portion of taxes and penalty) is $6,846.12. In addition the 1st instalment of 1993 taxes would be due by February 26, 1993 in the amount of $1,688.00.

The Committee should also be aware that the mortgage loan is structured as an interest bearing loan at the City's bank's prime lending rate as of September 1st each year. This rate was 14.25% as of September 1, 1990, 9.75% as of September 1, 1991 and 6.50% as of September 1, 1992. The mortgage requires that annually on September 1st, the prior year's mortgage interest is payable to the City. As of February 1, 1993 the mortgage interest due the City on this mortgage amounted to $58,880.08. Council's August 28, 1990 resolution regarding this loan included the option for Council to forgive mortgage interest at Council's discretion. Council may wish to forgive the mortgage interest of $58,880.08 as of February 1, 1993.

BACKGROUND: - Continued

In accordance with the direction by the Finance and Administration Committee the Property Department has canvassed all City and Regional departments to ascertain if there is any use or interest in the Theatre Terra Nova building for municipal purposes should it become available. No interest was expressed.

The Property Department has also reviewed alternative uses for the building and has concluded that due to its location, demographics and unique construction it is not economically feasible to adapt the building to an alternative marketable use. The department recommends that should the City inherit ownership as Mortgagees in Possession, the property be immediately listed for sale with the Metropolitan Hamilton Real Estate Board "as is" without incurring any City funds on rehabilitation or conversion to an alternative use. The net recovery upon sale is expected to be in the range of $150,000.

Conclusion:

This is an information report only at this time so that staff can arrange a meeting with the Executive of the Theatre Terra Nova Board so that they can advise their financial status prior to staff finalizing a recommenation report to the Finance and Administraton Committee.

A/CAO
per J. Pavelka

A. C. Ross

D. W. Vyce

NRA:jc

ROBERT M. MORROW
MAYOR

Hamilton

7.

January 18th, 1993

MEMO TO: Susan Reeder, Secretary
Finance & Administration Committee

FROM: Mayor Robert M. Morrow

SUBJECT: THE MAYOR'S MESSAGE ON BEHALF OF CITY OF HAMILTON IN KINSMEN MAGAZINE

In the past years we have purchased an advertisement in the Kinsmen Magazine complimenting Kinsmen and Kinettes on their service to our community.

RECOMMENDATION: That the City of Hamilton purchase a "Message-of-Support" advertisement for 1/12th page at a cost of $235.00. This cost to be charged to Account No. CH56302-12001.

BACKGROUND:

1. See attached letter of December 21st, 1992 from Kinsmen & Kinette Clubs of Canada. Also enclosed is a copy of the Message of Support and Order Form.

2. In 1992 the Committee approved a 1/3 page at a cost of $455.00.

RMM/DC/pb.

Encs.

HAMILTON

City Hall
71 Main Street West, Hamilton, Ontario, Canada L8N 3T4
Telephone : (416) 546-2790
546-2448 (TDD Only)

KINSMEN KINETTE

Kinsmen & Kinette Clubs of Canada
Les Clubs Kin du Canada

December 21, 1992

The City of Hamilton
Mayor Bob Morrow
71 Main St., W.
Hamilton, Ont. L8N 3T4

Dear Mayor Morrow andCouncillors,

The Kinsmen and Kinette Clubs of Burlington, Flamborough, Hamilton and Stoney Creek will soon be joining with nearly 1,000 other Kinsmen and Kinette clubs across Canada on February 20, 1993, to celebrate the 73rd anniversary of the founding of our association in Hamilton, Ont. As everyone is very aware, the past year has been a challenging one for our country. Tough economic times coupled with uncertainty about our country's Constitution — including the possibility that the Province of Quebec might eventually separate from the rest of Canada — have weighed heavy on the minds of all concerned Canadians.

Fortunately, however, all is not bad news! We are pleased to be able to report that last year our approximately 15,000 Kinsmen and Kinette members between the ages of 21-45 raised more than $27.1 million for Canadian communities such as yours. Our Association is acutely aware that governments at all levels are struggling to try to fund the wide variety of services that Canadians have come to expect. The important role our volunteer members play by raising money to provide community services or purchase equipment for public institutions such as hospitals and schools — that can no longer be paid for by tax dollars — is vital to helping maintain the quality of life Canadians have traditionally enjoyed. Your local Kin members raised $85,300 of the $27,195,156 national total to say nothing of spending countless hours planning and carrying out fund-raising and service projects. As an all-Canadian service club, Kinsmen & Kinette Clubs of Canada has a long and proud tradition of living up to its motto of "Serving the Community's Greatest Need" in good times as well as bad.

We are also pleased to be able to report that we ran an extremely successful project this past year to celebrate Canada's 125th anniversary called the "Proud to be Canadian" Tour. Our Association set out to collect 1.25 million signatures from children and young people below the voting age on specially-designed signature flags that featured the Canadian flag surrounded by a large white border. Response to this unique initiative across Canada was overwhelming. By the end of the tour, the total number of children's signatures exceeded 3 million. Our Association was invited to participate in the Canada Day celebrations in Ottawa because of the great impact the "Proud to be Canadian" Tour had on so many communities and individuals. Hopefully, young people in your community were among the millions who were provided with an opportunity to express their pride in being Canadian by putting their names on one of the more than 600 signature flags.

Our Association is a "not-for-profit" organization as opposed to a "charity" and hence neither our Association nor our members receive any tax breaks or qualify for special on-going assistance from the Provincial or Federal governments. In fact, Kinsmen and Kinettes pay dues from their own pockets in order to be members and they serve their community's greatest need because they are committed to making life better for others. Our Association and its members are certainly not immune to Canada's economic problems. Our Association has had to cut costs wherever possible ... yet our members have still seen their dues increase because of a membership decline. It isn't easy to find young adults between the ages of 21 to 45 who are willing or able to contribute their time and talents to community service. That's why we believe our members deserve to be recognized for their special dedication to helping to make their communities better places in which to live.

Once a year, Kinsmen and Kinettes ask their communities to help them. Each February on the anniversary of Kin's founding, our Association produces a special issue of its national publication – KIN Magazine – featuring

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1920 Hal Rogers Drive, P.O. Box KIN Cambridge, Ontario N3H 5C6
Telephone (519) 653-1920 Fax (519) 650-1091

"Messages-of-Support" that recognize the valuable work performed by Kinsmen and Kinettes during the past year. We sincerely appreciate the support you provided in the past by placing a "Message-of-Support" and we hope you will participate again this year.

What will placing a "Message-of-Support" mean to your local Kin? First, it says "thank you" to them for caring enough about their communities to donate their time and talents to fund-raising and service work. All volunteers need encouragement so a thank-you, such as placing a "Message-of-Support", is truly appreciated by our Kin members.

Second, our Association's national headquarters, which provides administrative and support services to the nearly 1,000 Kinsmen and Kinette clubs across Canada, is funded entirely by our members' annual dues along with a small profit from our internal sales division. (**None of the $27.1 million from local fund-raising projects goes to offset the cost of running our national association. The money we raise in your community stays in your community.**) Our members tell us the rising cost of annual dues is becoming a major drawback to new members joining our clubs. Our National Board of Directors budgets very carefully to keep annual dues increases to a minimum but just keeping pace with inflation in the last 10 years has meant significantly higher dues for Kinsmen and Kinettes. By placing a "Message-of-Support" during our 73rd anniversary year, you are investing in the future of our Association at a time when our clubs are working hard not only to serve their communities but also to attract new members so that our Association can continue to play a vital role in Canadian life. If all the communities we serve pitch in to assist us by placing a "Message-of-Support" once a year, it can have a tremendous impact on reducing our annual membership dues, making it easier for all Kinsmen and Kinettes to remain members and continue serving their community's greatest need.

Enclosed is a 73rd anniversary "Message-of-Support" order form listing the sizes of messages available along with the cost. You can provide a "camera-ready" message or send us a copy of your letterhead showing a logo and indicate the wording you want in the message. Or if you wish, we can simply update your last message for you and repeat it. In order to ensure your "Message-of-Support" appears in our special 73rd anniversary issue of KIN Magazine, please return your material along with a completed order form before **Friday, February 12, 1993.** (Incidentally, you may want to include the cost of the "Message-of-Support" in your 1993 budget since you won't be billed for the message until April.)

We would like to respectfully request that you help us to continue serving you by placing a "Message-of-Support" in the special 73rd anniversary "Message-of-Support" issue of KIN Magazine. The financial assistance your message provides is vital to the future of our Association and we are sure our approximately 15,000 members, including your local Kin, will appreciate the vote of confidence that your "thank-you" message conveys.

We look forward to your response.

Sincerely,

David & Joan Norster
Kinsmen & Kinette National Presidents
1992-93

encl.

ROBERT M. MORROW
MAYOR

Mayor's Office
Hamilton

MESSAGE OF SUPPORT

As the birthplace of your Kin Association 73 years ago, the City Council and Citizens of Hamilton take special pride in saying "thank you" to Kinsmen and Kinettes locally as well as across the country for your many contributions to Canadian communities.

Kinsmen and Kinettes are well-known for living up to their motto of "Serving the Community's Greatest Need." Your fund-raising and service activities have helped to make Hamilton -- and hundreds of other Canadian cities, towns and villages -- a better place to work and to live.

To each and everyone of you, sincerest thanks from the people of Hamilton. Keep up the good work and we look forward to being the host city for your 1995 National Convention when you celebrate Kin's 75th anniversary!

Robert M. Morrow
Mayor
City of Hamilton

HAMILTON

City Hall
71 Main Street West, Hamilton, Ontario, Canada L8N 3T4
Telephone : (416) 546-2790
546-2448 (TDD Only)

KIN Magazine

KINSMEN & KINETTE CLUBS OF CANADA
Canada's Largest National Service Club

73RD ANNIVERSARY Message-of-Support ORDER FORM

(Please Print) Supporter's Name: City, Town, Village or Gov't Ministry		
Address		
Bill to the attention of:	Name	Title
Address		Telephone No.
Size of Message required		Rate
Other instructions:		

THIS MESSAGE-OF-SUPPORT AUTHORIZED BY:

_____
Signature

NOTE: Please print/type your message on a separate sheet and attach to order form. If you would like us to write an appropriate message for you, please indicate this in the space above marked "Other instructions."

Message-of-Support

Size & Cost

SPACE	COST	WIDE	DEEP
Full Page	$850	7"	10"
2/3 Page	$735	4-5/8"	10"
1/2 Page Island	$600	4-5/8"	7-1/2"
1/2 Page	$550	7"	4-7/8"
1/3 Page	$470	4-5/8"	4-7/8"
1/6 Page	$350	2-1/4"	4-7/8"
1/12 Page	$235	2-1/4"	2-3/8"

NOTE: PLEASE ADD 7% GST TO ABOVE RATES WHEN REMITTING PAYMENT.

DEADLINE FOR RETURNING ORDER FORM: FRIDAY, FEBRUARY 12, 1993

Return order form to:

Kinsmen & Kinette Clubs of Canada
KIN Magazine
Box KIN
1920 Hal Rogers Dr.
Cambridge, Ontario N3H 5C6
(519) 653-1920
FAX (519) 650-1091

KINSMEN KINETTE

Kinsmen & Kinette Clubs Of Canada
Les Clubs Kin Du Canada

8.(a.)

City of Peterborough

OFFICE OF THE CITY CLERK
FEB 1 0 1993
REC. BY ..... DATE .....
REF'D. TO S.R. DATE .....
REF'D. TO ..... DATE .....
REF'D. TO ..... DATE .....
ACT ON: F.Y.A.

February 4, 1993

Clerk,
City of Hamilton,
71 Main Street West,
Hamilton, Ontario.
L8V 2W5

Re: Habitual Criminals
Clerk's File 10.16.99

I wish to inform you that City Council at its meeting held February 1, 1993, passed the following resolution and directed that you be advised of this decision:

"That Council endorse the recommendations made by the Coroners Jury in the Christopher Stephenson case;

And that the Solicitor General of Canada and the Attorney General of Ontario, be requested to give consideration to the amending of the Criminal Code to provide for the indefinite imprisonment of any person deemed to be an habitual violent sexual offender and sexual predator;

And that this resolution be circulated to the Solicitor General of Canada, Doug Lewis; the Attorney General of Ontario, Howard Hampton; Mr. Bill Domm, M.P., Peterborough; Mrs. Jenny Carter, M.P.P., Peterborough; the Association of Municipalities of Ontario (A.M.O.) and to all municipalities having a population of 50,000 or more, for their endorsation."

Yours truly,

David W. Oakes, B.A., A.M.C.T., C.M.O.,
City Clerk.

/kf

City of Vaughan

OFFICE OF THE CITY CLERK

FEB 25 1993

REC. BY ..... DATE .....
REF'D. TO S.K.R. DATE .....
REF'D. TO ..... DATE .....
REF'D. TO ..... DATE .....

ACTION: F.Y.A

The City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
Canada L6A 1T1
Tel (416) 832-2281

8. (b.)

February 18, 1993

Mr. Joseph Schatz, Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8V 2W5

Dear Sir/Madam:

The Council of the City of Vaughan at its meeting of February 15, 1993 passed the attached resolution requesting the establishment of a Commission to consider changes required to reform the education system in Ontario and recommending subjects for inclusion in the Terms of Reference.

Would you please place this matter before your Council for consideration. Should your Council endorse this resolution we would request that notice of the endorsement be forwarded to Premier Bob Rae and the Minister of Education and Training, Dave Cooke.

Yours very truly,

J.D. Leach
City Clerk

VL:gp

(93cor\cor15feb.2)

We recycle

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES 15 FEBRUARY 1993

ADDENDUM ITEMS

68. **RESOLUTION -**
CHANGES TO THE EDUCATIONAL SYSTEM

MOVED by Councillor Cipollone
seconded by Councillor Meffe

WHEREAS The Province of Ontario through the Ministry of Education is considering the creation of a Commission to consider changes to the education system in Ontario;

AND WHEREAS the Terms of Reference for the Commission are yet to be defined;

AND WHEREAS there is a need for public consultation on the issues facing the education system;

AND WHEREAS five possible areas of study include financing, organization, curriculum, teacher training, and special education;

AND WHEREAS more than 60 percent of Ontario residential property taxes goes to various School Boards;

AND WHEREAS the issue of financing is being examined by the Fair Tax Commission;

AND WHEREAS the issue of organization encompasses the number of School Boards in Ontario and the number of trustees;

NOW THEREFORE the Council of The Corporation of the City of Vaughan resolves as follows:

THAT the Premier of Ontario and the Minister of Education be urged to establish a Commission to consider the changes required to reform the education system in Ontario;

AND THAT the Minister be strongly urged to include in the Commission's Terms of Reference the important issues of financing and organization;

AND THAT the Minister be advised that the Terms of Reference for the review of financing should provide for the review of the proportion of funding of School Boards and the collection thereof;

AND THAT the Minister be advised that the Terms of Reference for the review of organization should provide for the review and possible reduction in the number of School Boards and trustees in the Province;

AND THAT this Resolution be circulated to all Municipalities in Ontario having populations of over 100,000 for their endorsement.

CARRIED

Mrs. J. McAnanama, CEO
Hamilton Public Library

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1993 March 25th
9:30 o'clock a.m.
Room 233, City Hall

URBAN MUNIC
MAR 29 1993
GOVERNMENT DOCUMENTS

Susan K. Reeder
Susan K. Reeder
Secretary

AGENDA

1. **PRESENTATION**

   French Sub-Committee - Roger Paquette, Chairperson and Alderman F. D'Amico, Vice Chairperson. (no copy)

2. **DELEGATIONS**

   (a) Mr. DiCenzo re: Development Charges - Silverton Subdivision. (no copy)

   (b) Evelyn Myrie, Chairperson and Christine Templeton, member, Hamilton Status of Women Sub-Committee - Results of Safety Audit.

3. **MAYOR MORROW**

   1996 Sesquicentennial Committee. (no copy)

4. **CONSENT AGENDA**

5. **DIRECTOR OF CULTURE AND RECREATION**

   Capital Project Subsidies for Dundurn Castle and Whitehern.

6. **TREASURER**

   (a) Vehicle Replacement - 1993.

   (b) City of Hamilton Banking Arrangements.

7. **GRANTS GRANDFATHER TASK FORCE**

   Grant Classifications and Alternative Sources of Funding.

8. **CITY CLERK**

   Street Vendors Program.

9. **TAXI ADVISORY COMMITTEE**

   Taxi Stands on Rebecca Street.

10. **HAMILTON FARMERS' MARKET SUB-COMMITTEE**

    (a) Temporary Stallholder Signage.

    (b) Directional Signage - Hamilton Farmers' Market.

11. **HAMILTON HISTORICAL BOARD**

    Location of Canadian Club Plaque.

12. **IN CAMERA AGENDA**

13. **OTHER BUSINESS**

14. **ADJOURNMENT**

FINANCE AND ADMINISTRATION COMMITTEE

THURSDAY, 1993 MARCH 25TH

CONSENT AGENDA

A. ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the meeting held Thursday, 1993 March 4th.

B. CITY SOLICITOR

(i) Debenture By-law Capital Projects - 1993.

(ii) By-law to Amend and Consolidate By-law 79-323, being the City of Hamilton Licensing Code.

C. MANAGER OF PURCHASING

(i) Extension of Purchase Order, Supply and Delivery of Petroleum Products, Various Locations.

(ii) Supply and Delivery of Safety Boots, Purchasing Stores.

D. TREASURER, DIRECTOR OF INFORMATION SYSTEMS AND DIRECTOR OF TRAFFIC SERVICES

Information Report - Legislated Changes in the Enforcement and Collection Procedures for Parking Violators.

E. CITY CLERK

(i) Student Night Walk and Rally.

(ii) Flying of Slovak Flag.

(iii) Reviewing Stand - Royal Canadian Legion 38th Biennial Convention.

(iv) Renewal of Xerox Photocopier Contract.

(v) Hamilton Corporate Challenge.

F. **COMMISSIONER OF HUMAN RESOURCES**

(i) Heavy Construction Association of Ontario and the United Brotherhood of Carpenters and Joiners of America, Local 18.

(ii) Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1993 March 18th.

G. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items.

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STATIONERY
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RL. BLUE	25073	RL. BLEU
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RUST	25078	ROUILLE
EX RED	25079	ROUGE

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BALANCE OF PRODUCTS 25% RECYCLED

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